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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

22° VICTORIÆ, 1859.

VOL. CLIV.

COMPRISING THE PERIOD FROM

THE THIRTY-FIRST DAY OF MAY, 1859,

TO

THE EIGHTEENTH DAY OF JULY, 1859.

First Volume of Second Session 1859.

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London.—Right Hon. Lord John Russell, Secretary of State—*Re-elected.*

New Radnor.—Right Hon. Sir George Cornewall Lewis, Bart., Secretary of State —*Re-elected.*

Halifax.—Right Hon. Sir Charles Wood, Bart., Secretary of State—*Re-elected.*

Morpeth.—Right Hon. Sir George Grey, Bart., Chancellor of the Duchy of Lancaster—*Re-elected.*

Ashton-under-Lyne—Right Hon. Thomas Milner Gibson, Commissioner of Poor Laws —*Re-elected.*

Oxford City.—Right Hon. Edward Cardwell, Chief Secretary to the Lord Lieutenant of Ireland—*Re-elected.*

Lewes.—Right Hon. Henry FitzRoy, First Commissioner of Works—*Re-elected.*

Calne.—Right Hon. Robert Lowe, Vice President of the Committee of Council on Education—*Re-elected.*

Devonport.—Right Hon. James Wilson, Vice President of the Board of Trade—*Re-elected.*

Newcastle-upon-Tyne.—Right Hon. Thomas Emerson Headlam — Judge Advocate —*Re-elected.*

Wolverhampton.—Sir Richard Bethell, Attorney General—*Re-elected.*

Reading.—Sir Henry Singer Keating, Solicitor General—*Re-elected.*

Wigtown District of Burghs.—Sir William Dunbar, Bart., Commissioner of the Treasury—*Re-elected.*

Bedford Borough.—Samuel Whitbread, Esq., Commissioner of the Admiralty—*Re-elected.*

Sandwich.—Edward Hugessen Knatchbull-Hugessen, Commissioner of the Treasury —*Re-elected.*

FRIDAY, JULY 1.

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Northampton Borough.—Right Hon. Lord Henley, *v.* Right Hon. Robert Vernon Smith, now Baron Lyveden.

THURSDAY, JULY 7.

Ennis.—Right Hon. John David FitzGerald, Attorney General for Ireland—*Re-elected.*

Kerry.—Right Hon. Viscount Castlerosse, Treasurer of the Household—*Re-elected.*

Lichfield.—Lord Alfred Henry Paget, Chief Equerry and Clerk Marshal—*Re-elected.*

Marylebone.—Right Hon. Lord Fermoy, *v.* Right Hon. Sir Benjamin Hall, Bart., now Baron Llanover.

FRIDAY, JULY 8.

Gloucester County (*Western Division*).—Lieutenant Colonel Robert Nigel Fitzhardinge Kingscote, Groom in Waiting—*Re-elected.*

MONDAY, JULY 11.

Edinburgh City.—Right Hon. James Moncreiff, Lord Advocate—*Re-elected.*

Cork City.—Francis Lyons, Esq., *v.* William Trant Fagan, Esq., *Deceased.*

TUESDAY, JULY 12.

Cork County.—Rickard Deasy, Esq., Solicitor General for Ireland—*Re-elected.*

Ashton-under-Lyne.—Right Hon. Thomas Milner Gibson, President of the Board of Trade—*Re-elected.*

Wolverhampton.—Right Hon. Charles Pelham Villiers, Commissioner of Poor Laws—*Re-elected.*

BY THE QUEEN.

A PROCLAMATION,

For Dissolving the present Parliament, and declaring the Calling of Another.

VICTORIA R.

WHEREAS We have thought fit, by and with the Advice of Our Privy Council, to dissolve this present Parliament, which stands prorogued to *Thursday* the Fifth Day of *May* next: We do for that End, publish this Our Royal Proclamation; and do hereby dissolve the said Parliament accordingly; and the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgesses, and the Commissioners for Shires and Burghs, of the House of Commons, are discharged from their Meeting and Attendance on the said *Thursday* the Fifth Day of *May* next: And We, being desirous and resolved, as soon as may be, to meet Our People, and to have their Advice in Parliament, do hereby make known to all Our loving Subjects Our Royal Will, and Pleasure to call a new Parliament: And do hereby further declare that, with the Advice of Our Privy Council, We have given Order that Our Chancellor of that Part of Our United Kingdom called *Great Britain,* and Our Chancellor of *Ireland* do respectively, upon Notice thereof, forthwith issue out Writs, in due Form and according to Law, for calling a new Parliament. And We do hereby also, by this Our Royal Proclamation under Our Great Seal of Our United Kingdom, require Writs forthwith to be issued accordingly by Our said Chancellors respectively, for causing the Lords Spiritual and Temporal, and Commons, who are to serve in the said Parliament, to be duly returned to, and give their Attendance in, Our said Parliament: which Writs are to be returnable on *Tuesday* the Thirty-first Day of *May* next.

Given at Our Court at *Windsor,* this Twenty-third Day of *April* in the Year of Our Lord One thousand eight hundred and fifty-nine, and in the Twenty-second Year of Our Reign.

GOD SAVE THE QUEEN.

THE MINISTRY

Of the EARL OF DERBY as it stood at the Meeting of Parliament.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of Derby.
Lord Chancellor	Right Hon. Lord Chelmsford.
President of the Council	Most Hon. Marquess of Salisbury.
Lord Privy Seal	Right Hon. Earl of Hardwicke.
Secretary of State, Home Department	Right Hon. John Thomas Henry Sutton Sotheron Estcourt.
Secretary of State, Foreign Department	Right Hon. Earl of Malmesbury.
Secretary of State for Colonies	Right Hon. Sir Edward George Bulwer Lytton, Bt.
Secretary of State for War	Right Hon. Jonathan Peel.
Secretary of State for India	Right Hon. Lord Stanley.
Chancellor of the Exchequer	Right Hon. Benjamin Disraeli.
First Lord of the Admiralty	Right Hon. Sir John Somerset Pakington, Bt.
President of the Board of Trade	Right Hon. Earl of Donoughmore.
First Commissioner of Works and Public Buildings	Right Hon. Lord John James Robert Manners.

NOT IN THE CABINET.

General Commanding-in-Chief	H.R.H. Duke of Cambridge.
Chancellor of the Duchy of Lancaster	His Grace the Duke of Montrose.
Postmaster General	Right Hon. Lord Colchester.
Paymaster of the Forces, and Vice-President of the Board of Trade	Lord Lovaine.
President of the Board of Health and Vice-President of the Committee of Privy Council for Education	Right Hon. Charles Bowyer Adderley.
Chief Commissioner of the Poor Law	Earl of March.
Lords of the Treasury	Colonel Thomas Edward Taylor, Henry Whitmore, Esq., and Peter Blackburn, Esq.
Lords of the Admiralty	Vice-Admiral William Fanshawe Martin, Vice Admiral the Hon. Sir Richard Saunders Dundas, K.C.B., Rear Admiral Sir Henry John Leeke, K.C.B., Rear Admiral Alexander Milne, K.C.B., and the Hon. Frederick Lygon.
Joint Secretaries of the Treasury	Sir William George Hylton Jolliffe, Bt., and Sir Stafford Henry Northcote, Bt.
Secretary of the Admiralty	Right Hon. Henry Thomas Lowry Corry.
Secretary to the Poor Law Commissioners	Frederick Winn Knight, Esq.
Under Secretary for the Home Department	Gathorne Hardy, Esq.
Under Secretary for Foreign Affairs	William Robert Seymour Vesey FitzGerald, Esq.
Under Secretary for the Colonies	Right Hon. Earl of Carnarvon.
Under Secretary for War	Right Hon. Earl of Rosslyn.
Under Secretary for India	Henry James Baillie, Esq.
Judge Advocate General	Right Hon. John Robert Mowbray.
Attorney General	Sir FitzRoy Kelly, Knt.
Solicitor General	Sir Hugh M'Calmont Cairns, Knt.

SCOTLAND.

Lord Advocate	Right Hon. Charles Baillie.
Solicitor General	David Mure, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Eglinton.
Lord Chancellor	Right Hon. Joseph Napier.
Chief Secretary	Right Hon. Lord Naas.
Attorney General	Right Hon. James Whiteside.
Solicitor General	John George, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Most Hon. Marquess of Exeter.
Lord Chamberlain	Right Hon. Earl De la Warr.
Master of the Horse	His Grace the Duke of Beaufort.
Treasurer of the Household	Right Hon. Lord Claud Hamilton.
Comptroller of the Household	Right Hon. George Cecil Weld Forester.
Vice Chamberlain of the Household	Right Hon. Lord Viscount Newport.
Captain of the Corps of Gentlemen at Arms	Right Hon. Earl of Shrewsbury and Talbot.
Captain of the Yeomen of the Guard	Right Hon. Lord de Ros.
Master of the Buckhounds	Right Hon. Earl of Sandwich.
Chief Equerry and Clerk Marshal	Right Hon. Lord Colville of Culross.
Mistress of the Robes	Duchess of Manchester.

THE MINISTRY

As formed by VISCOUNT PALMERSTON in the Month of June, 1859.

THE CABINET.

First Lord of the Treasury	Right Hon. Viscount Palmerston.
Lord Chancellor	Right Hon. Lord Campbell.
President of the Council	Right Hon. Earl Granville.
Lord Privy Seal	His Grace the Duke of Argyll.
Secretary of State, Home Department	Right Hon. Sir George Cornewall Lewis, Bt.
Secretary of State, Foreign Department	Right Hon. Lord John Russell.
Secretary of State for Colonies	His Grace the Duke of Newcastle.
Secretary of State for War	Right Hon. Sidney Herbert.
Secretary of State for India	Right Hon. Sir Charles Wood, Bt.
Chancellor of the Exchequer	Right Hon. William Ewart Gladstone.
First Lord of the Admiralty	His Grace the Duke of Somerset.
President of the Board of Trade	Right Hon. Thomas Milner Gibson.
Postmaster General	Right Hon. Earl of Elgin.
Chancellor of the Duchy of Lancaster	Right Hon. Sir George Grey.
Chief Commissioner of the Poor Law Board	Right Hon. Charles Pelham Villiers.
Chief Secretary for Ireland	Right Hon. Edward Cardwell.

NOT IN THE CABINET.

General Commanding-in-Chief	H.R.H. Duke of Cambridge.
Paymaster of the Forces, and Vice-President of the Board of Trade	Right Hon. James Wilson.
Vice President of the Committee of Privy Council for Education	Right Hon. Robert Lowe.
Chief Commissioner of Works and Public Buildings	Right Hon. Henry FitzRoy.
Lords of the Treasury	Edward Hugessen Knatchbull, Esq., Sir William Dunbar, Bt., and John Bagwell, Esq.
Lords of the Admiralty	Vice Admiral the Hon. Sir Richard Saunders Dundas, K.C.B., Rear Admiral the Hon. Frederick Thomas Pelham, C.B., Captain Charles Eden, C.B., Captain Charles Frederick, and Samuel Whitbread, Esq.
Joint Secretaries of the Treasury	Hon. Henry Bouverie William Brand, and Samuel Laing, Esq.
Secretary of the Admiralty	Rear Admiral Lord Clarence Edward Paget, C.B.
Secretary to the Poor Law Commissioners	Charles Gilpin, Esq.
Under Secretary for the Home Department	George Clive, Esq.
Under Secretary for Foreign Affairs	Right Hon. Lord Wodehouse.
Under Secretary for the Colonies	Chichester Samuel Fortescue, Esq.
Under Secretary for War	Right Hon. Earl of Ripon.
Under Secretary for India	Thomas George Baring, Esq.
Judge Advocate General	Right Hon. Thomas Emerson Headlam.
Attorney General	Sir Richard Bethell, Knt.
Solicitor General	Sir Henry Singer Keating, Knt.

SCOTLAND.

Lord Advocate	Right Hon. James Moncreiff.
Solicitor General	Edward Francis Maitland, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Carlisle.
Lord Chancellor	Right Hon. Maziere Brady.
Chief Secretary	Right Hon. Edward Cardwell.
Attorney General	Right Hon. John Desmond Fitzgerald.
Solicitor General	Rickard Deasy, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of St. Germans.
Lord Chamberlain	Right Hon. Viscount Sydney.
Master of the Horse	Most Hon. Marquess of Ailesbury.
Treasurer of the Household	Right Hon. Viscount Bury.
Comptroller of the Household	Right Hon. Lord Proby.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Captain of the Yeomen of the Guard	Right Hon. Earl of Ducie.
Master of the Buckhounds	Right Hon. Earl of Bessborough.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Duchess of Sutherland.

ROLL OF THE
LORDS SPIRITUAL AND TEMPORAL

In the First Session of the Eighteenth Parliament of the United Kingdom of Great Britain and Ireland.

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22 VICTORIÆ, 1859.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest, and so, when the House sends a Committee to a Conference with the Commons, the Lord Highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

John Bird Archbishop of Canterbury.

Frederic Lord Chelmsford, *Lord Chancellor.*

Thomas Archbishop of York.

Richard Archbishop of Dublin.

James Brownlow William Marquess of Salisbury, *Lord President of the Council.*

Charles Philip Earl of Hardwicke, *Lord Privy Seal.*

Henry Granville Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Duke of Richmond.

Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds. (*In another place as Lord Godolphin.*)

Francis Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough.

Charles Cecil John Duke of Rutland.

William Alexander Anthony Archibald Duke of Brandon. (*Duke of Hamilton*).

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Duke of Newcastle.

Algernon Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Duke of Buckingham and Chandos.

George Granville Duke of Sutherland.

Henry Duke of Cleveland.

Brownlow Marquess of Exeter, *Lord Steward of the Household.*

John Marquess of Winchester.

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Marquess of Lansdowne.

John Marquess Townshend.

JAMES BROWNLOW WILLIAM Marquess of SALISBURY. (*In another place as Lord President of the Council.*)

JOHN ALEXANDER Marquess of BATH.

JAMES Marquess of ABERCORN.

RICHARD Marquess of HERTFORD.

JOHN PATRICK Marquess of BUTE.

BROWNLOW Marquess of EXETER. (*In another place as Lord Steward of the Household.*)

CHARLES Marquess of NORTHAMPTON.

GEORGE CHARLES Marquess CAMDEN.

HENRY Marquess of ANGLESEY.

GEORGE HORATIO Marquess of CHOLMONDELEY.

HENRY WEYSFORD CHARLES PLANTAGENET Marquess of HASTINGS.

GEORGE WILLIAM FREDERICK Marquess of AILESBURY.

GEORGE THOMAS JOHN Marquess of WESTMEATH. (*Elected for Ireland.*)

FREDERICK WILLIAM Marquess of BRISTOL.

ARCHIBALD Marquess of AILSA.

JOHN Marquess of BREADALBANE.

RICHARD Marquess of WESTMINSTER.

CONSTANTINE HENRY Marquess of NORMANBY.

JAMES ANDREW Marquess of DALHOUSIE.

GEORGE JOHN Earl DE LA WARR. *Lord Chamberlain of the Household.*

HENRY JOHN Earl of SHREWSBURY.

EDWARD GEOFFREY Earl of DERBY.

FRANCIS THEOPHILUS HENRY Earl of HUNTINGDON.

ROBERT HENRY Earl of PEMBROKE and MONTGOMERY.

WILLIAM REGINALD Earl of DEVON.

CHARLES JOHN Earl of SUFFOLK and BERKSHIRE.

WILLIAM BASIL PERCY Earl of DENBIGH.

JOHN Earl of WESTMORLAND.

GEORGE AUGUSTUS FREDERICK ALBEMARLE Earl of LINDSEY.

GEORGE HARRY Earl of STAMFORD and WARRINGTON.

GEORGE JAMES Earl of WINCHILSEA and NOTTINGHAM.

GEORGE Earl of CHESTERFIELD.

JOHN WILLIAM Earl of SANDWICH.

ARTHUR ALGERNON Earl of ESSEX.

JAMES THOMAS Earl of CARDIGAN.

GEORGE WILLIAM FREDERICK Earl of CARLISLE.

WALTER FRANCIS Earl of DONCASTER (*Duke of Buccleuch and Queensberry.*)

ANTHONY Earl of SHAFTESBURY.

——— Earl of BERKELEY.

MONTAGU Earl of ABINGDON.

RICHARD GEORGE Earl of SCARBROUGH.

GEORGE THOMAS Earl of ALBEMARLE.

GEORGE WILLIAM Earl of COVENTRY.

GEORGE Earl of JERSEY.

JOHN Earl POULETT.

SHOLTO JOHN Earl of MORTON (*Elected for Scotland.*)

JAMES Earl of CAITHNESS. (*Elected for Scotland.*)

COSPATRICK ALEXANDER Earl of HOME. (*Elected for Scotland.*)

THOMAS GEORGE Earl of STRATHMORE. (*Elected for Scotland.*)

GEORGE Earl of HADINGTON (*Elected for Scotland.*)

DAVID GRAHAM DRUMMOND Earl of AIRLIE. (*Elected for Scotland.*)

DAVID Earl of LEVEN and MELVILLE. (*Elected for Scotland.*)

DUNBAR JAMES Earl of SELKIRK. (*Elected for Scotland.*)

THOMAS JOHN Earl of ORKNEY. (*Elected for Scotland.*)

SEWALLIS EDWARD Earl FERRERS.

WILLIAM WALTER Earl of DARTMOUTH.

CHARLES AUGUSTUS Earl of TANKERVILLE.

HENEAGE Earl of AYLESFORD.

FRANCIS THOMAS DE GREY Earl COWPER.

PHILIP HENRY Earl STANHOPE.

ROBERT Earl of HARBOROUGH.

THOMAS AUGUSTUS WOLSTENHOLME Earl of MACCLESFIELD.

GEORGE WILLIAM RICHARD Earl of POMFRET.

JAMES Earl GRAHAM. (*Duke of Montrose.*)

WILLIAM Earl WALDEGRAVE.

BERTRAM Earl of ASHBURNHAM.

LEICESTER FITZGERALD CHARLES Earl of HARRINGTON.

ISAAC NEWTON Earl of PORTSMOUTH.

GEORGE GUY Earl BROOKE and Earl of WARWICK.

AUGUSTUS EDWARD Earl of BUCKINGHAMSHIRE.

WILLIAM THOMAS SPENCER Earl FITZWILLIAM.

FRANCIS Earl of GUILFORD.

Charles Philip Earl of Hardwicke. (*In another place as Lord Privy Seal.*)

William Thomas Horner Earl of Ilchester.

George John Earl De La Warr. (*In another place as Lord Chamberlain of the Household.*)

William Earl of Radnor.

John Poyntz Earl Spencer.

Henry George Earl Bathurst.

Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

George Augustus Frederick John Earl Strange. (*Duke of Athol.*)

Ernest Augustus Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

George Earl of Beverley.

Henry Howard Molyneux Earl of Carnarvon.

George Earl Cadogan.

James Howard Earl of Malmesbury.

George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Francis William Earl of Charlemont. (*In another place as Lord Charlemont.*) (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

Robert Earl of Mayo. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

John Otway O'Connor Earl of Desart. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

William Earl of Rosse. (*Elected for Ireland.*)

Charles Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

Gilbert Earl of Minto.

Charles Murray Earl Cathcart.

James Walter Earl of Verulam.

John William Spencer Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Edmund Earl of Morley.

George Augustus Frederick Henry Earl of Bradford.

Henry Beauchamp Earl Beauchamp.

Richard Earl of Bantry. (*Elected for Ireland.*)

Thomas Philip Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Earl Cawdor.

William George Earl of Munster.

Robert Dundas Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

George Frederick Samuel Earl of Ripon.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Anderson Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.
Charles Noel Earl of Gainsborough.
Edward Earl of Ellenborough.
George Granville Francis Earl of Ellesmere.
John Earl of Strafford.
Charles Edward Earl of Cottenham.
Henry Richard Charles Earl Cowley.
Charles John Earl Canning.

Robert Viscount Hereford.
William Henry Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
Evelyn Viscount Falmouth.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
Henry Viscount Maynard.
John Robert Viscount Sydney.
Francis Wheler Viscount Hood.
Arthur Viscount Dungannon. (*Elected for Ireland.*)
Thomas Viscount De Vesci. (*Elected for Ireland*).
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Edward Jervis Viscount St. Vincent.
Henry Viscount Melville.
William Leonard Viscount Sidmouth.
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
Richard John Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Stapleton Viscount Combermere.
Charles John Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley

Archibald Campbell Bishop of London.
Charles Thomas Bishop of Durham.
Charles Richard Bishop of Winchester.
George Bishop of Rochester.
Henry Bishop of Exeter.
George Bishop of Peterborough.
Connop Bishop of St. David's.
Henry Bishop of Worcester.
Ashhurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Thomas Bishop of Ely.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
John Bishop of Chester.
Alfred Bishop of Llandaff.
John Bishop of Lincoln.
Walter Kerr Bishop of Salisbury.
Robert John Bishop of Bath and Wells. (*In another place as Lord Auckland*).
Henry Montagu Bishop of Carlisle.
Charles Bishop of Gloucester and Bristol.
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
Joseph Henderson Bishop of Meath.
Ludlow Bishop of Killaloe, Kilfenora, Clonfert, and Kilmacduagh.
Marcus Gervais Bishop of Kilmore, Elphin, and Ardagh.

William Lennox Lascelles Lord De Ros.
Jacob Lord Hastings.
George Edward Lord Audley.
Peter Robert Lord Willoughby de Eresby.
Thomas Crosby William Lord Dacre.
Charles Rodolph Lord Clinton.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Robert John Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
St. Andrew Beauchamp Lord St. John of Bletso.
Charles Augustus Lord Howard de Walden.

William Bernard Lord Petre.

Frederick Benjamin Lord Saye and Sele.

Henry Benedict Lord Arundell of Wardour.

John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

William Lord Ward.

Charles Hugh Lord Clifford of Chudleigh.

Charles Lord Ossulston.

Alexander Lord Saltoun. (*Elected for Scotland.*)

John Lord Gray. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

Thomas Robert Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

Henry Lord Wycombe.

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

Henry Edward Lord Holland.

George James Lord Lovel and Holland (*Earl of Egmont.*)

George John Lord Vernon.

Edward Saint Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

Robert Dennett Lord Rodney.

Richard Noel Lord Berwick.

John Lord Sherborne.

John Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Richard Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

Henry Lord Mendip. (*Viscount Clifden.*)

John Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

Charles Lord Brodrick. (*Viscount Midleton.*)

Frederick Lord Calthorpe.

Robert John Lord Carrington.

Henry Lord Bayning.

William Henry Lord Bolton.

John Lord Wodehouse.

George Lord Northwick.

Thomas Atherton Lord Lilford.

Thomas Lord Ribblesdale.

Richard Hobart Lord Fitzgibbon. (*Earl of Clare.*)

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

George Lord Rivers.

Arthur Moyses William Lord Sandys.

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

Archibald William Lord Ardrossan. (*Earl of Eglintoun.*)

James Lord Lauderdale. (*Earl of Lauderdale.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

William Lord Ponsonby of Imokilly.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court (*Marquess of Londonderry.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Henry Tennison Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

Robert Lord Kingston. (*Earl of Kingston.*)

Edward Michael Lord Silchester. (*Earl of Longford.*)

William Richard Arthur Lord Maryborough. (*Earl of Mornington.*)

John Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Ulysses Lord Downes. (*Elected for Ireland.*)

Robert Francis Lord Gifford.

Percy Ellen Frederick William Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montague Stuart Granville Lord Wharncliffe.

William Lord Feversham.

John Singleton Lord Lyndhurst.

John Henry Lord Tenterden.

Thomas Span Lord Plunket. (*Bishop of Tuam, Killala, and Achonry.*)

William Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

Fox Lord Panmure.

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Edward Lord Cloncurry.

James Lord De Saumarez.

George Godolphin Lord Godolphin. (*In another place as Duke of Leeds.*)

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

Robert Campbell Lord Abinger.

Philip Lord De L'Isle and Dudley.

William Bingham Lord Ashburton.

Charles Lord Glenelg.

Edward John Lord Hatherton.

George Stevens Lord Strafford.

Archibald Lord Worlingham. (*Earl of Gosford.*)

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

Francis William Lord Charlemont. (*In another place as Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Henry Robert Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

John Lord Wrottesley.

Thomas Charles Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Edward John Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Ralph Lord Dunfermline.

Thomas Spring Lord Monteagle of Brandon.

John Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Campbell.

North Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Richard Lord Dartrey. (*Lord Cremorne.*)

James Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)

Albert Denison Lord Londesborough.

Samuel Jones Lord Overstone.

Charles Robert Claude Lord Truro.

Robert Monsey Lord Cranworth.

John Cam Lord Broughton.

John Lord De Freyne.

Edward Burtenshaw Lord Saint Leonards.

Richard Henry FitzRoy Lord Raglan.

Gilbert John Lord Aveland.

Thomas Lord Kenmare. (*Earl of Kenmare*).

Richard Bickerton Pemell Lord Lyons.

James Lord Wensleydale.

Edward Lord Belper.

James Lord Talbot de Malahide.

Robert Lord Ebury.

Thomas Babington Lord Macaulay.

James Lord Skene. (*Earl Fife.*)

Charles Compton Lord Chesham.

Frederic Lord Chelmsford. (*In another place as Lord Chancellor.*)

John Buller Lord Churston.

John Charles Lord Strathspey. (*In another place as Earl of Seafield.*)

Colin Lord Clyde.

Thomas Lord Kingsdown.

George Lord Leconfield.

William Tatton Lord Egerton.

Charles Morgan Robinson Lord Tredegar.

John Lord Elphinstone.

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Seventeenth Parliament* of the United Kingdom of *Great Britain and Ireland:* Writs Returnable on the 31st May, 1859.

ABINGDON.
John Thomas Norris.

ANDOVER.
William Cubitt,
Hon. Dudley Francis Fortescue.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Rt. hon. (Edward Howard) Lord E. Howard.

ASHBURTON.
John Harvey Astell.

ASHTON-UNDER-LINE.
Rt. hon. Thomas Milner Gibson.

AYLESBURY.
Thomas Tyringham Bernard,
*T. F. C. Vernon Wentworth,
*Samuel George Smith.

BANBURY.
Sir Charles Eurwicke Douglas, knt.

BARNSTAPLE.
John D. F. Davie,
George Potts.

BATH.
William Tite,
Arthur Edwin Hay.

BEAUMARIS.
Hon. William Owen Stanley.

BEDFORDSHIRE.
Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.
Samuel Whitbread,
William Stuart.

BERKSHIRE.
Hon. Philip Pleydell Bouverie,
John Walter,
Leicester Viney Vernon.

BERWICK-UPON-TWEED.
Charles William Gordon,
Ralph Anstruther Earle.

BEVERLEY.
Ralph Walters,
Henry Edwards.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

BIRMINGHAM.
William Scholefield.
John Bright.

BLACKBURN.
William Henry Hornby,
James Pilkington.

BODMIN.
Hon. Edward Frederick Leveson Gower,
William Mitchell.

BOLTON-LE-MOORS.
William Gray,
Joseph Crook.

BOSTON.
Herbert Ingram,
Meaburn Staniland.

BRADFORD.
Henry Wickham Wickham,
Titus Salt.

BRECKNOCKSHIRE.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
John Lloyd Vaughan Watkins.

BRIDGNORTH.
Henry Whitmore,
John Pritchard.

BRIDGWATER.
Charles John Kemeys Tynte,
Alexander William Kinglake.

BRIDPORT.
Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.

BRIGHTHELMSTONE.
Sir George Richard Pechell, bt.,
William Coningham.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
William Henry Gore Langton.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Rt. hon. Benjamin Disraeli,
Hon. William George Cavendish.

BUCKINGHAM.
Sir Harry Verney, bt.,
John Gellibrand Hubbard.

BURY.
Rt. hon. Frederick Peel.

BURY ST. EDMUND'S.
Hon. (Alfred Hervey) Lord A. Hervey,
Joseph Alfred Hardcastle.

CALNE.
Rt. hon. Robert Lowe.

CAMBRIDGESHIRE.
Edward Ball,
Henry John Adeane,
Hon. Eliot Thomas Yorke.

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* *Double Returns.*

CAMBRIDGE (UNIVERSITY).
Rt. hon. Spencer Horatio Walpole,
Charles Jasper Selwyn.

CAMBRIDGE.
Kenneth Macaulay,
Andrew Steuart.

CANTERBURY.
Hon. Henry Butler Johnstone,
Rt. hon. Sir William Meredyth Somerville, bt.

CARDIFF.
James F. C. D. Stuart.

CARDIGANSHIRE.
William Thomas Rowland Powell.

CARDIGAN.
Edward Lewis Pryse.

CARLISLE.
Rt. hon. Sir James Robert George Graham, bt.,
Wilfrid Lawson.

CARMARTHENSHIRE.
David Jones,
David Pugh.

CARMARTHEN.
David Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CARNARVON.
Charles Wynne.

CHATHAM.
Sir John Mark Frederick Smith, knt.

CHELTENHAM.
Francis William Fitzhardinge Berkeley.

CHESHIRE.
(Northern Division.)
George Cornwall Legh,
Hon. Wilbraham Egerton.

(Southern Division.)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Philip Stapleton Humberstone.

CHICHESTER.
Humphrey William Freeland,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.
William John Lysley,
Richard Penruddocke Long.

CHRISTCHURCH.
John Edward Walcott.

CIRENCESTER.
Allen Alexander Bathurst,
Hon. Ashley George John Ponsonby.

CLITHEROE.
John Turner Hopwood.

COCKERMOUTH.
John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

COLCHESTER.
Taverner John Miller,
Philip O. Papillon.

CORNWALL.
(Eastern Division.)
Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)
Richard Davey,
John Saint Aubyn.

COVENTRY.
Rt. hon. Edward Ellice,
Sir Joseph Paxton, knt.

CRICKLADE.
Ambrose Lethbridge Goddard,
Hon. Anthony (Ashley) Lord Ashley.

CUMBERLAND.
(Eastern Division.)
Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)
Henry Wyndham,
Henry Lowther.

DARTMOUTH.
Edward W. H. Schenley.

DENBIGHSHIRE.
Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH.
Townshend Mainwaring.

DERBYSHIRE.
(Northern Division.)
Hon. George Henry (Cavendish) Lord Cavendish,
William Pole Thornhill.

(Southern Division.)
Thomas William Evans,
William Mundy.

DERBY.
Michael Thomas Bass,
Samuel Beale.

DEVIZES.
Christopher Darby Griffith,
John Neilson Gladstone.

DEVONPORT.
Rt. hon. James Wilson,
Sir Thomas Erskine Perry, knt.

DEVONSHIRE.
(Northern Division.)
James Wentworth Buller,
Hon. Charles Henry Rolle Trefusis.

(Southern Division.)
Lawrence Palk,
Samuel Trehawke Kekewich.

DORCHESTER.
Richard Brinsley Sheridan,
Charles Napier Sturt.

DORSETSHIRE.
Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
Henry Ker Seymer.

DOVOR.
Sir Henry John Leeke, K.C.B.,
William Nicol.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
Henry Brinsley Sheridan.

DURHAM.
(Northern Division.)
Robert Duncombe Shafto,
Hon. (Adolphus Frederick Charles William Vane-Tempest) Lord A. F. C. W. Vane-Tempest.

(Southern Division.)
Henry Pease,
James Farrer.

DURHAM (CITY).
William Atherton,
Rt. hon John Robert Mowbray.

ESSEX.
(Northern Division.)
Rt. hon. William Beresford,
Charles Du Cane.

(Southern Division).
Thomas William Bramston,
J. W. Perry Watlington.

EVESHAM.
Sir Henry Pollard Willoughby, bt.,
Edward Holland.

EXETER.
Edward Divett,
Richard Sommers Gard.

EYE.
Sir Edward Clarence Kerrison, bt.

FINSBURY.
Thomas Slingsby Duncombe,
Sir Samuel Morton Peto, bt.

FLINTSHIRE.
Hon. Thomas Edward Mostyn Lloyd Mostyn.

FLINT, &c.
Sir John Hanmer, bt.

FROME.
Hon. (Edward Thynne) Lord E. Thynne.

GATESHEAD.
William Hutt.

GLAMORGANSHIRE.
Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

GLOUCESTERSHIRE.
(Eastern Division.)
Sir Christopher William Codrington, bt.,
Robert Stayner Holford.

(Western Division.)
Robert Nigel Fitzhardinge Kingscote,
John Rolt.

GLOUCESTER.
William Philip Price,
Charles James Monk.

GRANTHAM.
Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREENWICH.
David Salomons,
William Angerstein.

GRIMSBY (GREAT).
Hon. Charles (Anderson-Pelham) Lord Worsley.

GUILDFORD.
William Bovill,
Guildford Onslow.

HALIFAX.
Rt. hon. Sir Charles Wood, bt,
James Stansfield.

HAMPSHIRE.
(Northern Division.)
William Wither Bramston Beach,
George Sclater Booth.

(Southern Division.)
Hon. Ralph Heneage Dutton,
Sir Jervoise Clarke Clarke-Jervoise, bt.

HARWICH.
Henry G. W. Jervis,
Hon. William Frederick Campbell.

HASTINGS.
Frederick North,
Hon. (Harry George Vane) Lord H. G. Vane.

HAVERFORDWEST.
John Henry Philipps.

HELSTON.
John Jope Rogers.

HEREFORDSHIRE.
James King King,
Hon. (Montagu William Graham) Lord M. W. Graham,
Humphrey Francis Mildmay.

HEREFORD.
Henry Morgan Clifford,
George Clive.

HERTFORDSHIRE.
Rt. hon. Sir Edward George Lytton Bulwer-Lytton, bt.,
Christopher William Giles Puller,
Abel Smith.

HERTFORD.
Rt. hon. William Francis Cowper,
Sir Walter Minto Townshend Farquhar, bt.

HONITON.
Joseph Locke,
Alexander Dundas Baillie Cochrane.

HORSHAM.
William Robert Seymour Vesey FitzGerald.

HUDDERSFIELD.
Edward Aldam Leatham.

HUNTINGDONSHIRE.
Edward Fellowes,
Hon. (Robert Montagu) Lord R. Montagu.

HUNTINGDON.
Rt. hon. Jonathan Peel,
Thomas Baring.

HYTHE.
Baron Mayer Amschel de Rothschild.

IPSWICH.
John Chevallier Cobbold,
Hugh Edward Adair.

KENDAL.
George Carr Glyn.

KENT.
(Eastern Division.)
Sir Brooke William Bridges, bt.,
William Deedes.

(Western Division.)
Hon. (William Pitt) Viscount Holmesdale,
Sir Edmund Filmer, bt.

KIDDERMINSTER.
Alfred Rhodes Bristow.

KING'S LYNN.
Rt. hon. Edward Henry (Stanley) Lord Stanley,
John Henry Gurney.

KINGSTON-UPON-HULL.
James Clay,
Joseph Hoare.

KNARESBOROUGH.
Basil Thomas Woodd,
Thomas Collins.

LAMBETH.
William Roupell,
William Williams.

LANCASHIRE.
(Northern Division.)
John Wilson Patten,
Hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)
Hon. Algernon Fulke Egerton,
William John Legh.

LANCASTER.
William James Garnett,
Samuel Gregson.

LAUNCESTON.
Thomas Chandler Haliburton.

LEEDS.
Edward Baines,
George Skirrow Beecroft.

LEICESTERSHIRE.
(Northern Division.)
Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bouchier Hartopp.

(Southern Division.)
Charles William Packe,
Hon. George Augustus Frederick Louis (Curzon Howe) Viscount Curzon.

LEICESTER.
John Biggs,
Joseph William Noble.

LEOMINSTER.
Gathorne Hardy,
Hon. Charles Spencer Bateman Hanbury.

LEWES.
Rt. hon. Henry FitzRoy,
Hon. Henry Bouverie William Brand.

LICHFIELD.
Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Augustus Henry Archibald Anson.

LINCOLNSHIRE.
(*Parts of Lindsey.*)
James Banks Stanhope,
Sir Montagu John Cholmeley Cholmeley, bt.
(*Parts of Kesteven and Holland.*)
Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.
Gervaise Tottenham Waldo Sibthorp,
George Fieschi Heneage.

LISKEARD.
Ralph William Grey.

LIVERPOOL.
Thomas Berry Horsfall,
Joseph Christopher Ewart.

LONDON.
Sir James Duke, bt.,
Rt. hon. (John Russell) Lord J. Russell,
Robert Wygram Crawford.
Baron Lionel Nathan De Rothschild.

LUDLOW.
Hon. Percy Egerton Herbert,
Beriah Botfield.

LYME REGIS.
William Pinney.

LYMINGTON.
William Alexander Mackinnon, jun.,
Sir John Rivett Carnac, bt.

MACCLESFIELD.
John Brocklehurst,
Edward Christopher Egerton.

MAIDSTONE.
William Lee,
Charles Buxton.

MALDON.
George Montagu Warren Peacocke,
Thomas Sutton Western.

MALMESBURY.
Hon. Henry Charles (Howard) Viscount Andover.

MALTON.
Hon. Charles William Wentworth Fitzwilliam,
James Brown.

MANCHESTER.
Thomas Bazley,
James Aspinall Turner.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.
Edwin John James,
Rt. hon. Sir Benjamin Hall, bt.

MERIONETHSHIRE.
William Watkin Edward Wynne.

MERTHYR TYDVIL.
Henry Austin Bruce.

MIDDLESEX.
Robert Hanbury,
Hon. George Henry Charles Byng.

MIDHURST.
William Townley Mitford.

MONMOUTHSHIRE.
Charles Octavius Swinnerton Morgan,
Edward Arthur Somerset.

MONMOUTH.
Crawshay Bailey.

MONTGOMERYSHIRE.
Herbert Watkins Williams Wynn.

MONTGOMERY.
David Pugh.

MORPETH.
Rt. hon. Sir George Grey, bt.

NEWARK-UPON-TRENT.
Grosvenor Hodgkinson,
John Handley.

NEWCASTLE-UNDER-LYME
William Jackson,
William Murray.

NEWCASTLE-UPON-TYNE.
George Ridley,
Rt. hon. Thomas Emerson Headlam.

NEWPORT, ISLE OF WIGHT.
Robert William Kennard,
Philip Lybbe Powys.

NORFOLK.
(*Eastern Division.*)
Hon. Wenman Clarence Walpole Coke,
Edward Howes.
(*Western Division.*)
George William Pierrepont Bentinck,
Charles Brampton Gurdon.

NORTHALLERTON.
William Battie Wrightson.

NORTHAMPTONSHIRE.
(*Northern Division.*)
Hon. William Alleyne (Cecil) Lord Burghley,
George Ward Hunt.
(*Southern Division.*)
Rainald Knightley,
Henry Cartwright.

NORTHAMPTON.
Charles Gilpin,
Rt. hon. Robert Vernon Smith.

NORTHUMBERLAND.
(*Northern Division.*)
Hon. Algernon George (Percy) Lord Lovaine,
Sir Matthew White Ridley, bt.
(*Southern Division.*)
Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

NORWICH.
Hon. William Coutts (Keppell) Viscount Bury,
William Henry Schneider.

NOTTINGHAMSHIRE.
(*Northern Division.*)
Hon. (Robert Renebald Pelham-Clinton) Lord R. R. Pelham Clinton,
Rt. hon. John Evelyn Denison.
(*Southern Division.*)
William Hodgson Barrow,
Hon. Charles (Pierrepont) Viscount Newark.

NOTTINGHAM.
Charles Paget,
John Mellor.

OLDHAM.
William Johnson Fox,
John Morgan Cobbett.

OXFORDSHIRE.

Rt. hon. Joseph Warner Henley,
John Sidney North,
George Granville Vernon Harcourt.

OXFORD (CITY).

James Haughton Langston,
Rt. Hon. Edward Cardwell.

OXFORD (UNIVERSITY).

Rt. Hon. William Ewart Gladstone,
Sir William Heathcote, bt.

PEMBROKESHIRE.

Hon. John Frederick Vaughan (Campbell) Viscount Emlyn.

PEMBROKE.

Sir John Owen, bt.

PENRYN AND FALMOUTH.

Thomas George Baring,
Samuel Gurney.

PETERBOROUGH.

Thomson Hankey,
George Hammond Whalley.

PETERSFIELD.

Rt. Hon. Sir William George Hylton Jolliffe, bt.

PLYMOUTH.

Hon. William Henry (Edgcumbe) Viscount Valletort,
Robert Porrett Collier.

PONTEFRACT.

Richard Monckton Milnes,
William Overend.

POOLE.

George Woodroffe Franklyn,
Henry Danby Seymour.

PORTSMOUTH.

Sir James Dalrymple Horn Elphinstone, bt.,
Rt. hon. Sir Francis Thornhill Baring, bt.

PRESTON.

Richard Asheton Cross,
Charles Pascoe Grenfell.

RADNORSHIRE.

Sir John Benn Walsh, bt.

RADNOR (NEW).

Rt. hon. Sir George Cornewall Lewis, bt.

READING.

Francis Pigott,
Sir Henry Singer Keating, kt.

REIGATE.

Hon. William John Monson

RETFORD (EAST).

Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

RICHMOND.

Henry Rich,
Marmaduke Wyvill.

RIPON.

John Greenwood,
John Ashley Warre.

ROCHDALE.

Richard Cobden.

ROCHESTER.

Philip Wykeham Martin,
John Alexander Kinglake.

RUTLANDSHIRE.

Hon. Gerard James Noel,
Hon. Gilbert Henry Heathcote.

RYE.

William Alexander Mackinnon.

ST. IVES.

Henry Paull.

SALFORD.

William Nathaniel Massey.

SALISBURY.

Edward Pery Buckley,
Matthew Henry Marsh.

SALOP, OR SHROPSHIRE.

(Northern Division.)

Hon. Rowland Clegg Hill,
John Ralph Ormsby Gore.

(Southern Division.)

Rt. hon. Orlando George Charles (Bridgeman) Viscount Newport,
Hon. Robert Windsor Clive.

SANDWICH.

Edward Knatchbull-Hugessen,
Hon. Clarence Edward (Paget) Lord C. E. Paget.

SCARBOROUGH.

Hon. William Henry Denison,
Sir John Vanden Bempde Johnstone, bt.

SHAFTESBURY.

George Grenfell Glyn.

SHEFFIELD.

John Arthur Roebuck,
George Hadfield.

SHIELDS (SOUTH).

Robert Ingham.

SHOREHAM (NEW).

Sir Charles Merrik Burrell, bt.,
Stephen Cave.

SHREWSBURY.

George Tomline,
Robert Aglionby Slaney.

SOMERSETSHIRE.

(Eastern Division.)

Sir William Miles, bt.,
William Francis Knatchbull.

(Western Division.)

Charles Aaron Moody,
Sir Alexander Fuller Acland Hood, bt.

SOUTHAMPTON.

William Digby Seymour,
Brodie M'Ghie Willcox.

SOUTHWARK.

Sir Charles Napier, K.C.B.,
John Locke.

STAFFORDSHIRE.

(Northern Division.)

Rt. hon. Charles Bowyer Adderley,
Hon. Charles John (Talbot) Viscount Ingestre.

(Southern Division.)

Henry John Wentworth Foley,
William Orme Foster.

STAFFORD.

John Ayshford Wise,
Thomas Salt.

STAMFORD.

Hon. (Robert Talbot Gascoyne Cecil) Lord R. T. G. Cecil,
Sir Stafford Henry Northcote, bt.

STOCKPORT.

James Kershaw,
John Benjamin Smith.

STOKE-UPON-TRENT.

John Lewis Ricardo,
William Taylor Copeland.

STROUD.
George Poulett Scrope,
Rt. hon. Edward Horsman.

SUFFOLK.
(Eastern Division.)
Rt. hon. John (Henniker-Major) Lord Henniker,
Sir FitzRoy Kelly, knt.
(Western Division.)
Hon. Frederick William (Hervey), Earl Jermyn,
Windsor Parker.

SUNDERLAND.
Henry Fenwick,
William Schaw Lindsay.

SURREY.
(Eastern Division.)
Thomas Alcock,
Hon. Peter John Locke King.
(Western Division.)
John Ivatt Briscoe,
Henry Drummond.

SUSSEX.
(Eastern Division.)
John George Dodson,
Hon. Henry North (Holroyd) Viscount Pevensey.
(Western Division.)
Hon. Charles Henry (Gordon Lennox) Earl of March,
Hon. Henry Wyndham.

SWANSEA.
Lewis Llewellyn Dillwyn.

TAMWORTH.
Sir Robert Peel, bt.,
Hon. John (Townshend) Viscount Raynham.

TAUNTON.
Arthur Mills,
Rt. hon. Henry Labouchere.

TAVISTOCK.
Sir John Salusbury Trelawny, bt.,
Arthur John Edward Russell.

TEWKESBURY.
Hon. Frederick Lygon,
James Martin.

THETFORD.
Hon. William Henry (FitzRoy) Earl of Euston,
Alexander Hugh Baring.

THIRSK.
Sir William Payne Gallwey, bt.

TIVERTON.
Rt. hon. Henry John (Temple) Viscount Palmerston,
Hon. George Denman.

TOTNESS.
Hon. George (Hay) Earl of Gifford,
Thomas Mills.

TOWER HAMLETS.
Acton Smee Ayrton,
Charles Salisbury Butler.

TRURO.
Montagu Edward Smith,
Augustus Smith.

TYNEMOUTH.
Hugh Taylor.

WAKEFIELD.
William Henry Leatham.

WALLINGFORD.
Richard Malins.

WALSALL.
Charles Forster.

WAREHAM.
John Wanley Erle Drax.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(Northern Division.)
Charles Newdigate Newdegate,
Richard Spooner.
(Southern Division.)
Evelyn Philip Shirley,
Sir Charles Mordaunt, bt.

WARWICK.
George William John Repton,
Edward Greaves.

WELLS.
Rt. hon. Sir William Goodenough Hayter, bt.,
Hedworth Hylton Jolliffe.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
Sir Massey Lopes, bt.

WESTMINSTER.
Sir John Villiers Shelley, bt.,
Sir De Lacy Evans, G.C.B.

WESTMORELAND.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

WEYMOUTH AND MELCOMBE REGIS.
Robert Brooks,
Hon. Arthur Edward (Egerton), Viscount Grey de Wilton.

WHITBY.
Robert Stephenson.

WHITEHAVEN.
George Lyall.

WIGAN.
Hon. James Lindsay,
Henry Woods.

WIGHT (ISLE OF).
Charles Cavendish Clifford.

WILTON.
Edmund Antrobus.

WILTSHIRE.
(Northern Division.)
Walter Long,
Rt. hon. Thomas Henry Sutton Sotheron Estcourt.
(Southern Division.)
Rt. hon. Sidney Herbert,
Hon. Henry Frederick (Thynne) Lord H. F. Thynne.

WINCHESTER.
Sir James Buller East, bt.,
John Bonham Carter.

WINDSOR.
William Vansittart,
George William Hope.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Sir Richard Bethell.

WOODSTOCK.
Hon. Alfred (Churchill), Lord A. Churchill.

WORCESTERSHIRE.
(Eastern Division.)
John Hodgetts Hodgetts Foley,
Hon. Frederick Henry Gough Calthorpe.
(Western Division.)
Frederick Winn Knight,
Hon. Henry (Pyndar) Viscount Elmley.

WORCESTER.
William Laslett,
Osman Ricardo.

WYCOMBE (CHIPPING).
Sir George Henry Dashwood, bt.,
Martin Tucker Smith.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
Sir Henry Josiah Stracey, bt.

YORKSHIRE.
(North Riding.)
Edward Stillingfleet Cayley,
Hon. William Ernest Duncombe.

YORKSHIRE—*continued.*

(*East Riding.*)

Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(*West Riding.*)

Sir John William Ramsden, bt.,
Frank Crossley.

YORK.

Joshua Proctor Brown Westhead,
John George Smyth.

SCOTLAND.

ABERDEENSHIRE.

Hon. George John James (Gordon) Lord Haddo.

ABERDEEN.

William Henry Sykes.

ARGYLLSHIRE.

Alexander Struthers Finlay.

AYRSHIRE.

Hon. Patrick James Herbert Crichton (Stuart) Lord P. J. H. C. Stuart.

AYR, &c.

Edward Henry John Craufurd.

BANFFSHIRE.

Lachlan Duff Gordon.

BERWICKSHIRE.

David Robertson.

BUTESHIRE.

Rt. hon. David Mure.

CAITHNESS-SHIRE.

George Traill.

CLACKMANNAN AND KINROSS-SHIRES.

William Patrick Adam.

CUPAR, ST. ANDREWS, &c.

Edward Ellice.

DUMBARTONSHIRE.

Patrick Boyle Smollett.

DUMFRIES-SHIRE.

John James Hope Johnstone.

DUMFRIES, &c.

William Ewart.

DUNDEE.

Sir John Ogilvy, bt.

DYSART, KIRCALDY, &c.

Robert Ferguson.

EDINBURGHSHIRE.

Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH.

Adam Black,
Rt. hon. J. Moncreiff.

ELGINSHIRE AND NAIRNE.

Charles Lennox Cumming Bruce.

ELGIN, &c.

Mounstuart Grant Duff.

FALKIRK, &c.

James Merry.

FIFESHIRE.

J. H. Erskine Wemyss.

FORFARSHIRE.

Hon. Adam (Haldane-Duncan) Viscount Duncan.

GLASGOW.

Walter Buchanan,
Robert Dalglish.

GREENOCK.

Alexander Murray Dunlop.

HADDINGTONSHIRE.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KILMARNOCK, RENFREW, &c.

Rt. hon. Edward Pleydell Bouverie.

KINCARDINESHIRE.

Hon. Hugh Arbuthnott.

KIRKCUDBRIGHTSHIRE.

James Mackie.

KIRKWALL, WICK, &c.

Samuel Laing.

LANARKSHIRE.

Sir Thomas Edward Colebrooke, bt.

LEITH, &c.

William Miller.

LINLITHGOWSHIRE.

W. Ferrier Hamilton.

MONTROSE, &c.

William Edward Baxter.

ORKNEY AND SHETLAND.

Frederick Dundas.

PAISLEY.

Humphrey Ewing Crum Ewing.

PEEBLES-SHIRE.

Sir Graham Graham Montgomery, bt.

PERTHSHIRE.

William Stirling.

PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

Sir Michael Robert Shaw Stewart, bt.

ROSS AND CROMARTY SHIRES.

Sir James Matheson, bt.

ROXBURGHSHIRE.

Sir William Scott, bt.

SELKIRKSHIRE.

Allan Eliott Lockhart.

STIRLINGSHIRE.

Peter Blackburn.

STIRLING, &c.

James Caird.

SUTHERLANDSHIRE.

Hon. George Granville William (Leveson - Gower) Marquess of Stafford.

WIGTONSHIRE.

Sir Andrew Agnew, bt.

WIGTON, &c.

Sir William Dunbar, bt.

IRELAND.

ANTRIM.

Thomas Henry Pakenham,
Hon. George Frederick Upton.

ARMAGH.

Sir William Verner, bt.,
Maxwell Charles Close.

ARMAGH (CITY).

Joshua Walter MacGeough Bond.

ATHLONE.

John Ennis.

BANDON BRIDGE.

Hon. William Smyth Bernard.

BELFAST.

Sir Hugh MacCalmont Cairns, knt.,
Richard Davison.

CARLOW.

William Bunbury M'Clintock Bunbury,
Henry Bruen.

CARLOW (BOROUGH).

Sir John Emerich Dalberg Acton, bt.

CARRICKFERGUS.

Robert Torrens.

CASHEL.

John Lanigan.

CAVAN.

Hon. James Pierce Maxwell,
Hon. Hugh Annesley.

CLARE.

C. M. Vandeleur,
Luke White.

CLONMEL.
John Bagwell.

COLERAINE.
John Boyd.

CORK COUNTY.
Rickard Deasy,
Vincent Scully.

CORK (CITY).
Francis Bernard Beamish,
*(*Vacant.*)

DONEGAL.
Thomas Conolly,
Sir Edmund Samuel Hayes, bt.

DOWNSHIRE.
Hon. (Arthur Edwin Hill) Lord A. E. Hill,
William B. Forde.

DOWNPATRICK.
David Stewart Ker.

DROGHEDA.
James McCann.

DUBLIN.
James Hans Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Sir Edward Grogan, bt.,
John Vance.

DUBLIN (UNIVERSITY).
Anthony Lefroy,
Rt. hon. James Whiteside.

DUNDALK.
George Bowyer.

DUNGANNON.
Hon. William Stuart Knox.

DUNGARVAN.
John Francis Maguire.

ENNIS.
Rt. hon. John Desmond Fitz-Gerald.

ENNISKILLEN.
Hon. John Lowry Cole.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

GALWAY.
Sir Thomas John Burke, bt.,
William Henry Gregory.

GALWAY (BOROUGH).
John Orrell Lever,
Hon. Ulick Canning (De Burgh) Lord Dunkellin.

KERRY.
Rt. hon. Henry Arthur Herbert,
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse.

KILDARE.
William Henry Ford Cogan,
Rt. hon. Richard More O'Ferrall.

KILKENNY.
Hon. Leopold George Frederick Agar Ellis,
John Greene.

KILKENNY (BOROUGH).
Michael Sullivan.

KING'S COUNTY.
John Pope Hennessy,
Patrick O'Brien.

KINSALE.
John Arnott.

LEITRIM.
John Brady,
William Richard Ormsby Gore.

LIMERICK.
Rt. hon. William Monsell,
Samuel A. Dickson.

LIMERICK (CITY).
Francis William Russell,
George Gavin.

LISBURN.
Jonathan Joseph Richardson.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

LONDONDERRY (CITY).
Sir Robert Alexander Ferguson, bt.

LONGFORD.
Henry White,
Fulke Southwell Greville.

LOUTH.
Chichester Samuel Fortescue,
Richard Montesquieu Bellew.

MALLOW.
Robert Longfield.

MAYO.
Roger William Palmer,
Hon. John Thomas (Browne) Lord J. T. Browne.

MEATH.
Matthew Elias Corbally,
Edward McEvoy.

MONAGHAN.
Charles Powell Leslie,
Sir George Forster, bt.

NEWRY.
Peter Quinn.

PORTARLINGTON.
Lionel Dawson Damer.

QUEEN'S COUNTY.
Michael Dunne,
Francis Plunket Dunne.

ROSCOMMON.
Fitzstephen French,
Thomas William Goff.

ROSS (NEW).
Charles Tottenham.

SLIGO.
Sir Robert Gore Booth, bt.,
Charles William Cooper.

SLIGO (BOROUGH).
Rt. hon. John Arthur Wynne.

TIPPERARY.
O'Donoghoe, Daniel (The O'Donoghoe),
Lawrence Waldron.

TRALEE.
Daniel O'Connell.

TYRONE.
Rt. hon. Henry Thomas Lowry Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
John Esmonde,
Hon. Walter Cecil Talbot.

WATERFORD (CITY).
Michael Dobbyn Hassard,
John Aloysius Blake.

WESTMEATH.
Sir Richard George Augustus Levinge, bt.,
William Pollard Urquhart.

WEXFORD.
Patrick McMahon,
John George.

WEXFORD (BOROUGH).
John Edward Redmond.

WICKLOW.
William Wentworth Fitzwilliam Hume,
Hon. Granville Leveson (Proby) Lord Proby.

YOUGHAL.
Isaac Butt.

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* William Trant Fagan, died May 15.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY, 1859, IN THE TWENTY-SECOND
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, May 31, 1859.

THE SEVENTEENTH PARLIAMENT of the United Kingdom was dissolved by Proclamation on the 23rd April, and Writs were ordered to be issued for calling a new Parliament; which writs were made returnable on Tuesday the 31st May; on which day the Parliament so called met for Despatch of Business.

THE PARLIAMENT was opened by Commission.

The HOUSE of PEERS being met,

THE LORD CHANCELLOR acquainted the House,

"That Her Majesty not thinking fit to be personally present here this day, had been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament."

Then Five of the Lords Commissioners, namely, The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Marquess of Salisbury), The LORD PRIVY SEAL (The Earl of Hardwicke), The LORD STEWARD OF THE HOUSEHOLD (the Marquess of Exeter), and The LORD CHAMBERLAIN OF THE HOUSEHOLD (Earl De La Warr), being in their Robes, and seated on a form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House, to hear the Commission read."

Who being come;

THE LORD CHANCELLOR said—

"My Lords, and Gentlemen of the House of Commons,

"HER MAJESTY not thinking fit to be present here this day in Her Royal Person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under Her Great Seal, constituting us and several other Lords therein named Her Commissioners, to do all things, in Her Majesty's name, on Her part necessary to be performed in this Parliament: This will more fully appear by the Letters Patent themselves, which must now be read."

Then the said Letters Patent were read by the Clerk. And then

THE LORD CHANCELLOR said,—

"My Lords and Gentlemen,

"We have it in command from Her Majesty to let you know, That as soon as the Members of both Houses shall be sworn, the causes of Her Majesty calling this Parliament will be declared to you; and, it being necessary a Speaker of the House of Commons should be first chosen, it is Her Majesty's pleasure that you, Gentlemen of the House of Commons, repair to the place where you are to sit, and there proceed to the appointment of some proper person to be your Speaker; and that you present such person, whom you shall so choose, here, To-morrow at Two of the clock, for Her Majesty's Royal Approbation.

Then the Commons withdrew.

The House was adjourned during pleasure, to unrobe.

The House was resumed.

Prayers—Read by the Lord Bayning, in Holy Orders, no Bishop being present.

The Lord Chancellor singly, in the first place, at the Table, took and subscribed the Oath required to be taken by the Act of the 21st and 22nd *Victoria*, cap. 48.

Certificate of the Sixteen Peers for Scotland *delivered*, and read.

Roll of the Lords—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the First Session of the Eighteenth Parliament of the United Kingdom; the same was ordered to lie on the Table.

Several Lords took the Oath.

Charles Bennet, esquire (commonly called Lord Ossulston), having received Her Majesty's Writ to summon him to sit in this Parliament as Baron Ossulston—was in the usual Manner introduced.

The Lord Camoys, and The Lord Vaux of Harrowden took the Oath prescribed by the Act 10th *Geo.* IV. to be taken by the Peers professing the Roman Catholic Religion.

John Charles Earl of Seafield in Scotland, having been created Baron Strathspey of the United Kingdom, was in the usual manner introduced.

House adjourned at Five o'clock, till To-morrow, a quarter before Two o'clock.

HOUSE OF COMMONS,

Tuesday, May 31, 1859.

On which day, being the day appointed by the Royal Proclamation for the meeting of the new Parliament *Sir Denis Le Marchant*, Clerk of the House of Commons, and *Thomas Erskine May*, and *Henry Ley*, Esquires, Clerks Assistants, attending in the House, and the other Clerks attending according to their duty, *Charles Romilly*, Esquire, Clerk of the Crown in Chancery in *Great Britain*, delivered to the said *Sir Denis Le Marchant* a Book, containing a list of the Names of the Members returned to serve in this Parliament.

Several of the Members repaired to their seats.

A Message was delivered by *Mr. Pulman*, Yeoman Usher of the Black Rod:

"Gentlemen,

"The Lords, authorized by virtue of "Her Majesty's Commission, desire the "immediate attendance of this Honourable "House in the House of Peers, to hear "the Commission read."

Accordingly, the House went up to the House of Peers.

And the House being returned;

CHOICE OF A SPEAKER.

Colonel JOHN WILSON PATTEN, addressing himself to the Clerk (who, standing up pointed to him, and then sat down) said, Sir Denis Le Marchant, I hope it will not be considered an act of presumption on my part if I propose to the House for election one of its Members to fill the distinguished office of its Speaker. Sir, if any of the political parties of which the House of Commons is composed had an intention of naming any one a candidate for that office, I should abandon the duty I now undertake to perform to some hon. Gentleman more practised in the political discussions of the House, who would have discharged the duty with more propriety than myself. But understanding that no such intention exists on the part of any section of the House—believing, on the contrary, that an agreeable unanimity will be found to prevail on both sides in regard to the object of my Motion—I do not hesitate to comply with what I believe is the general feeling of the Members of this House. I therefore rise, Sir, to propose that my right hon. Friend the Member for North Nottinghamshire, Mr. Evelyn Denison, do take the chair and again preside over us. My right hon. Friend has already performed the duties of Speaker of this House, and his general conduct in the Chair will be his best recommendation for re-election. But I may, perhaps, be allowed to remind the House that when my right hon. Friend was first elected to that distinguished post he had no common difficulties to contend with. He had to succeed a Speaker who, it was universally acknowledged, had filled the Chair of this House with more than usual ability, and was one of the most eminent Speakers who had ever sat in it. It was no light task for any Member of this House coming to discharge the duties of the office for the first time to be successor of Viscount Eversley. But the manner in which my right hon. Friend overcame this difficulty is well known to the House; and I am bold to say that to the constant attention he has paid to his duties, the impartiality of his decisions, and his general bearing towards all the Members of the House, may be attributed the unanimous feeling which now exists that he should resume the Chair. Sir, there are duties the Speaker of this House has to perform that may not be known to many Members of it; and though I make no pretensions to taking a principal part in the public proceedings of the House, yet, perhaps, few Members have had better opportunities than myself of knowing how my right hon. Friend has conducted one of the most important duties he has to perform. I believe all those Members of the House who have had to take part in the private business of the House, in reference to which the Speaker has duties of no common importance, will acknowledge that my right hon. Friend has been distinguished by his general courtesy to every one. On all occasions hon. Members, without distinction of party or reference to private feelings, have had free access to him, and he is at all times anxious to place at their disposal the advantage of the experience which he had had in regard to the business of this branch of legislation. I do not wish to intrude any private feeling on an occasion like this, but perhaps I may be permitted, from a knowledge of nearly fifty years, to express my conviction that, as in public, so in private, my right hon. Friend is in every way worthy of the honour for which I propose him. I believe it would be difficult to find any Gentleman combining so many of the characteristics required to represent the Commons of England in so great a degree as my right hon. Friend. He has been distinguished throughout his life for an unimpeachable character as a private gentleman; and I feel that one of the chief recommendations of the person who aspires to the honour of representing the Commons of England as their Speaker must be the character he bears as a private gentleman. I move "That the right hon. John Evelyn Denison do take the Chair of this House as Speaker."

SIR FRANCIS THORNHILL BARING said, I rise to second the proposition of my hon. Friend the Member for North Lancashire. My hon. Friend has put the subject in so proper a light, and expressed himself so appropriately on the merits of my right hon. Friend the Member for North Nottinghamshire, that, as far as I am personally concerned, I should have been glad to have left the matter entirely in his hands, and have stopped here. But it would hardly be respectful to the House, nor would it be paying a proper regard to the Gentleman my hon. Friend has proposed, not to add a few sentences to what he has addressed to you. Sir, the selection of a Speaker is one of no common importance, not only on the present but on every occasion. To choose out of the assembled Commons of England the man who is to preside in our debates and exercise authority over us is at any time a choice of no ordinary moment; but we are likely to have to discuss questions of no common importance—questions likely to create considerable excitement—and though we are in the habit, as much to the advantage of the country as to the credit of the House, of carrying on our party conflicts in a tone and temper not partaking of personal acrimony, yet it is an advantage to have in that Chair a gentleman of high honour, experience, and firmness, who may vindicate the authority he exercises over the House by the personal respect we bear him as well as by the deference we owe to the office he holds. Now, I believe the right hon. Member for North Nottinghamshire will fulfil these requirements. We have to appeal to the manner in which he has already performed the duty—for no long period, indeed, but sufficiently long to prove his ability. My hon. Friend the Member for North Lancashire has spoken of the manner in which the right hon. Gentleman has performed his duties in connection with that branch of his business which does not attract so much attention as it deserves—the private business of the House; but with regard to it no Member of the House is better able to state what has been the conduct of Mr. Denison than the hon. Member by whom he is proposed; for it is a part of the business of the House to which he has paid great attention. To add anything to his testimony would be almost impertinent on my part, but I have personal knowledge of his courtesy and attention to myself as a private Member of Parliament. But with regard to the public business every Gentleman who was a Member of the last House of Commons is as good a judge as myself. I am not here to flatter the right hon. Gentleman; I am perfectly willing to admit that when he was first placed in the chair, the novelty of the position, and that diffidence in his own powers which so often accompanies real merit, hampered the facility and readiness to which we had then been so long accustomed. This, however, soon wore off, and I venture to give my opinion—and I do so because it is shared by Members of great authority and weight—that during the last Session of Parliament the chair was filled in a manner that did credit to the right hon. Gentleman and to the House itself. I will only add that it will be a great public advantage if the right hon. Gentleman is placed in the chair by the general opinion of the House, so that in those questions we may hereafter have to discuss we may feel that we have not begun by anything likely to excite personal feelings, but that the right hon. Gentleman is elected by both sides as the impartial arbiter of our debates.

The House then calling on Mr. EVELYN DENISON to the Chair,—

Mr. EVELYN DENISON stood up in his place and said;—I offer my grateful thanks to the two Gentlemen who have presented my name to the House, in terms suggested certainly by the partiality of friendship rather than by any deserts of mine. I must be the first to declare how little worthy I am of much that has been said in my commendation. I thought it a great honour when two years ago, the House was pleased to call me to that chair, untried, little prepared for its duties, and as little expecting to be called upon to perform them. I think it a much greater honour now, after a trial, to have been approved, and to be so proposed and so seconded, and, may I add?—so accepted as has been my lot this day. My short experience of the duties of the office has made me painfully aware of many deficiencies and shortcomings on my part; but on one point, the desire to perform my duties with impartiality; and the part which both sides of the House have taken in my nomination this day, I trust, afford me an assurance that in this respect my efforts have not been entirely unsuccessful. But here I must say that the mode of my election in the first instance, and the uniform courtesy I have experienced from both sides of the House alike, while they would have made a failure in this respect a just subject of reproach, do in the same proportion detract from the merit of any success which may have been achieved. If it should be the pleasure of the House to place me again in the Chair, no efforts of mine shall be wanting; but my main reliance must ever be on the generous support and the indulgent consideration of the House. The honour and the privileges of the House are to me objects of the dearest concern, and, in as far as they shall be committed to my charge, I trust they will ever be found to be in safe keeping. I will not further intrude upon the House, but with all duty submit myself to its pleasure.

The House then again unanimously calling Mr. Evelyn Denison to the Chair, he was taken out of his place by the said Colonel John Wilson Patten and Sir Francis Thornhill Baring and conducted to the Chair.

Then MR. SPEAKER ELECT, standing on the upper step, said: I offer from this Chair my grateful and respectful acknowledgemnts to the House for this proof of their continued confidence. I wish to be permitted to take this public opportunity of expressing the great obligations I am under to the officers of the House—to those who assist at this table, as well as to those in other branches, for their zealous and unremitting discharge of the duties of their respective departments. For myself, if during the two years of my apprenticeship I have been able in any degree to satisfy the House, I may now without presumption propose to serve the House with improved efficiency and with somewhat increased confidence.

And thereupon he sat down in the Chair; and then the Mace (which before lay under the Table) was laid upon the Table.

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is now my very grateful duty to congratulate you on having obtained, subject to the sanction of Her Majesty, an honour which I think ought to satisfy the noblest ambition—the privilege of presiding over the proceedings of the most ancient, most powerful, and most celebrated of representative assemblies. You, Sir, have had some experience in that Chair; and that justifies our expectation that you will be at all times prompt and prepared to guard and to vindicate our privileges, to preside over our debates with dignity, and in moments of perplexity to guide and enlighten us with adequate learning. Under these circumstances I am sure that I am not taking a presumptuous part when I assure you that in the fulfilment of your duties, on the part of every Member of this House, you may count upon not only a respectful, but a cordial assistance. And, Sir, I do not doubt that the day will not arrive when any one who has attended at your election this day will have occasion to regret the part that he has taken in it, because I believe that in that chair you will ever manifest the purity of an English judge and the spirit of an English gentleman. The right hon. Gentleman then moved "That the House do now adjourn."

Viscount PALMERSTON: Sir, I trust the House will permit me to join with the right hon. Gentleman opposite in congratulating you, Sir, upon having been placed this day in one of the most honourable and distinguished positions in which it is possible for a member of the community of this great nation to find himself. It must be most gratifying to you that you have been the unanimous choice of one of the noblest assemblies that ever existed in the world, and I think I may say of one that is not likely ever to be surpassed, to preside over their deliberations, to moderate their proceedings, to be their organ in times of difficulty, and the champion of their rights if they should be attacked. I am persuaded, with the right hon. Gentleman opposite, that, judging from the able manner in which you in the last Parliament performed the duties which were then devolved upon you, no man who has joined in this arrangement will ever have reason to repent his vote; but that, on the contrary, the impartiality which you have on all occasions evinced will be continued in your future duties, and that every succeeding Session will prove the propriety of the choice which the House has this day made in your person. I am sure that the right hon. Gentleman was not answering for the House more than he was authorized to do when he assured you that every Member of this House will give you his most hearty and cordial support in maintaining the order of our proceedings while performing those important duties which devolve upon the person who fills that Chair.

On Question "That the House do now adjourn," there were several cries of "Till when?" "To-morrow," and "Thursday."

Colonel FRENCH remarked that it was always the custom of the House to adjourn over the Derby day.

The CHANCELLOR of the EXCHEQUER: The public service will be consulted if the House will meet to-morrow, but if the gallant Officer has any engagements in another place, I believe there will be no difficulty to prevent the fulfilment of them.

Mr. HADFIELD: At what hour is the House to meet to-morrow?

The CHANCELLOR of the EXCHEQUER: At two o'clock.

Viscount PALMERSTON: I apprehend that it will remove all uneasiness if I state that the purpose for which the House will meet to-morrow is simply that you, Sir, may go to the House of Lords to receive the sanction of the Crown. No addresses will be delivered, and nothing beyond the swearing of those Members who may happen to be present will take place.

House accordingly adjourned till To-morrow at a quarter before Three o'clock.

HOUSE OF LORDS,

Wednesday, June 1, 1859.

The House met; and Five of the Lords Commissioners, namely, The Lord Chancellor, The Lord President of the Council, The Lord Privy Seal, The Lord Steward of the Household, and the Earl of Malmesbury (Secretary of State) being in their robes, and seated on a form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate attendance in this House."

Who being come,

SPEAKER OF THE HOUSE OF COMMONS, PRESENTED AND APPROVED,

Mr. EVELYN DENISON said,

My Lords,

I have to acquaint your Lordships that, in obedience to Her Majesty's commands, Her Majesty's faithful Commons, in the exercise of their undoubted right and privilege, have proceeded to the election of a Speaker, and that their choice has fallen on myself. I now present myself at your Bar, and submit myself, with all humility, to Her Majesty's gracious approbation.

THE LORD CHANCELLOR;

MR. DENISON,

We are commanded to assure you that Her Majesty is so fully sensible of your zeal for the public service, and of your ample sufficiency to execute the important duties which Her faithful Commons have selected you to discharge, that She does most readily approve and confirm you as their Speaker.

Then MR. SPEAKER said,

MY LORDS,

With profound respect and gratitude I bow to Her Majesty's gracious commands; And it is now my duty, in the name and on the behalf of the Commons of the United Kingdom, by humble Petition to Her Majesty, to lay claim to their undoubted rights and privileges, particularly to freedom from arrest and molestation of their persons and servants; to freedom of speech in debate; to free access to Her Majesty whenever occasion shall require; and that the most favourable construction should be put upon all their proceedings. And for myself I have humbly to pray that if any errors should arise in the discharge of my duties it may be imputed to myself alone, and not to Her Majesty's faithful Commons.

THE LORD CHANCELLOR,

MR. SPEAKER,

We have it further in command to inform you that Her Majesty does most readily confirm all the rights and privileges which have ever been granted to or conferred upon the Commons by any of Her Royal Predecessors.

With respect to yourself, Sir, although Her Majesty is sensible that you stand in no need of such an assurance, Her Majesty will ever put the most favourable construction upon your words and actions.

Then the Commons withdrew.

Several Lords—Took the Oath.

The Marquess of Bristol—Sat First in Parliament after the Death of his Father.

The Lord Kenmare—Took the Oath prescribed by the Act 10th *Geo.* IV., to be taken by Peers professing the Roman Catholic Religion.

House adjourned at Five o'clock,
to *Friday* next, half-past
Three o'clock.

HOUSE OF COMMONS,

Wednesday, June 1, 1859.

The House being met, and MR. SPEAKER ELECT having taken the Chair, a message was delivered by the Yeoman Usher of the Black Rod:

"MR. SPEAKER,

"The Lords, authorized by virtue of Her "Majesty's Commission, desire the im"mediate attendance of this Honourable "House in the House of Peers."

Accordingly, Mr. Speaker elect, with the House, went up to the House of Peers, where he was presented to the said Lords Commissioners for Her Majesty's approbation.

Then the LORD CHANCELLOR, one of the said Lords Commissioners, signified Her Majesty's approbation of Mr. Speaker elect.

The House being returned;

MR. SPEAKER said,—I have to report to the House that the House has been in the House of Peers; where Her Majesty was pleased, by Her Commissioners, to approve the choice which the House has made of me to be your Speaker; and I have in your name and on your behalf by humble Petition to Her Majesty, laid claim to all your ancient and undoubted rights and privileges, particularly to freedom from arrests and all molestations of your Persons and Servants; to freedom of Speech in Debate; to free access to Her Majesty whenever occasion shall require; and that the most favourable construction should be put upon all your proceedings; which Her Majesty, by Her said Commissioners, was pleased to confirm to them in as full and ample a manner as they have been heretofore granted or allowed by Her Majesty or any of Her Royal Predecessors. I beg once more to repeat my grateful and respectful acknowledgments to the House, and to remind the House that now their first duty is to take the oath.

MR. SPEAKER then took and subscribed the Oath, first alone; and after him several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and one Member, having been one of the people called Quakers, and entertaining conscientious objections to the taking of an

Oath, made and subscribed the Affirmation required by Law.

House adjourned at a quarter after Four o'clock.

HOUSE OF COMMONS,

Thursday, June 2, 1859.

The House met,—at Two of the clock.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Friday, June 3, 1859.

Several Lords—Took the Oath.

The Lord Lovat—Took the Oath prescribed by the Act 10th *Geo.* IV. to be taken by Peers professing the Roman Religion.

William Tatton Egerton, Esquire, having been created Baron Egerton of Tatton—Was (in the usual Manner) introduced.

Sir Charles Morgan Robinson Morgan, Baronet, having been created Baron Tredegar of Tredegar—Was (in the usual Manner) introduced.

House adjourned at Five o'clock, till To-morrow, half-past Three o'clock.

HOUSE OF COMMONS,

Friday, June 3, 1859.

The House met,—at Two of the clock.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and several Members, being of the People called Quakers, made and subscribed the Affirmation required by Law.

House at rising to adjourn till *Monday* next.

House adjourned accordingly at Four o'clock till *Monday* next.

HOUSE OF LORDS,

Saturday, June 4, 1859.

Several Lords—Took the Oath.

House adjourned at half-past Four o'clock, to *Monday* next, Four o'clock.

HOUSE OF LORDS,

Monday, June 6, 1859.

Several Lords—Took the Oath.

The Lord Stafford—Took the Oath prescribed by the Act 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

The Earl of Coventry — Sat first in Parliament, after the Death of his Grandfather.

His Royal Highness The Duke of Cambridge—Singly took the Oath.

Several Lords—Took the Oath.

House adjourned at Five o'clock, till To-morrow, a quarter before Two o'clock.

HOUSE OF COMMONS,

Monday, June 6, 1859.

Several other Members took and subscribed the Oath: and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath.

Baron Lionel Nathan de Rothschild, Member for the City of London, came to the table to be sworn, and stated that being a person professing the Jewish Religion, he had a conscientious objection to take the Oath in the form required by the Act 22 *Vict.* c. 48.

The Clerk having reported the circumstance to Mr. Speaker, Baron Lionel Nathan de Rothschild was directed to withdraw: and he withdrew accordingly.

OATH OF JEWISH MEMBERS.

RESOLUTION.

Lord JOHN RUSSELL: I now beg to move, in accordance with the Act of Parliament,—

Resolved,

That it appears to this House that Baron Lionel Nathan de Rothschild, a person professing the Jewish Religion, being otherwise entitled to sit and vote in this House, is prevented from so sitting and voting by his conscientious objection to take the Oath which by an Act passed in the twenty-second year of Her Majesty has been substituted for the Oaths of Allegiance, Supremacy, and Abjuration, in the form therein required.

Motion *agreed to;* Resolved accordingly.

LORD JOHN RUSSELL: I now propose the subsequent Resolution, which is in these terms:—

> That any Person professing the Jewish Religion may henceforth, in taking the Oath prescribed in an Act passed in the twenty-second year of Her Majesty to entitle him to sit and vote in this House, omit the words "and I make this declaration upon the true faith of a Christian."

SIR GEORGE GREY seconded the Motion.

MR. NEWDEGATE: Mr. Speaker, the House is now proceeding in accordance with the Act of the 21 & 22 *Vict.* c. 49, and in accordance with the Report of the Committee appointed at the close of the last Session to ascertain the course of proceeding under that Act. I was a Member of that Committee, and therefore I probably may be more cognizant of what passed therein than some other Members of the House. The Report of this Committee was presented so lately as the 11th of April last, and the Standing Order founded upon it was not adopted by the House till the 14th of April, many hon. Gentlemen who were Members of the last Parliament, and many more who were not, are probably not aware that it was ascertained by this Committee that each newly elected House of Commons on its first assembling must decide for itself whether those who do not profess the true faith of a Christain shall have seats within its walls; and it was specifically decided that this question should not be raised until the fourth day on which Members come up to take the oaths; and for this obvious reason, that had this question been proposed on the first day of our meeting the House would not have been in a position to adopt the Resolution which has been moved by the noble Lord the Member for the City of London, which is decisive of this question so far as the House of Commons and the present Session is concerned. Sir, it is well known that I feel strongly that this House should be Christian by its constitution; that it is the representative of a nation Christian by a vast majority of the inhabitants of these islands; and that it is also in accordance with the constitution of this country as established—or re-established—at the Revolution of 1688 that the House should be Christian, all the leading functionaries of the State are Christian, and until very recently this House has been Christian. I will not go into the large question which has been so often and so long debated in this House; I am sure that the House will not think it improper in me, entertaining these strong convictions, however unworthy I myself may be to take such a part, still to declare my opinion that the House by its whole constitution should remain what it has been for so many years—Christian; because if we admit those who reject Christianity, we have no longer the power in our corporate capacity of appealing to the great code of Christianity as forming our rule of right as distinguished from wrong. I feel that I must not travel into many matters connected with this question, but I wish to impress upon hon. Members who come here for the first time that they have now to decide for themselves and for the House this question, which has been so long debated—that is whether this House shall remain based on the constitution as that constitution was established in 1688? Persons who entertain revolutionary opinions cavil at that establishment; and I feel deeply upon this question, because it involves that establishment to its very base. What was the policy of the Monarch who was then ejected from the throne? James II. issued a declaration that no peculiarity of religious belief, and no want of religious belief, should disqualify any man from employment under the Government. That was done at the instance of Jesuit advisers; and the reply to that declaration by the nation was the ejection of himself and of his family from the throne; although in that revolution the last vestiges of what was called "the Divine right" of the Monarch were swept away, the nation supplied its place by securing that the whole constitution of the Imperial Parliament should be in accordance with the character of the Sovereign; that thus the whole Imperial power should be Christian, fundamentally and in all its details. Sir, when we reflect upon how this country has prospered since that period, some 180 years; how free from turmoil we have been, how safe has been our freedom among the shocks which have overturned the Governments and constitutions of other countries, I cannot divest my mind of the belief that it is not merely the inherent characteristics of the people that have given that security; and if there is a God who governs the world, we must believe this in that particular organization of our institutions is entailed a blessing upon this country; and it shall not be for the want of my vote at all events, that that which I believe to be calculated to insure the continuance of this blessing be removed from the constitution of this country. I will not detain the House much longer, but I cannot help adverting to one fact. I beg the House to remember that at this moment the Liberal mind throughout Europe is stirred towards the principle of nationality. The desire is that the various nations of the world should be governed as nations by recognizing their natural limits and their peculiarities of descent as the limits of their respective Governments. But what are we asked to do here? I speak not of the individual with disrespect; but we are asked to seat a person here, in the British House of Commons, who declares himself to be an Austrian Baron. I know not whether Baron Lionel de Rothschild bears that title with the sanction of Her Majesty; but I must say that on examining the rolls of the last Parliament, towards its close, I was surprised to find that that hon. Gentleman had thought it becoming, that his name should appear on that roll with an Austrian title attached to it. There have been distinguished men in this House entitled to bear foreign titles—Sir Thomas Fremantle and others—but I never before knew a person appear in this House by a title derived from a foreign State. It may be an inadvertence; but it marks this fact, that one who is a Jew by race and religion does not regard with the same feelings the nation in which he lives as do those who are Christians, and who are identified with that nation both by birth and by religion. The truth is, that a Jew by his religion is bound to consider himself as neither an Austrian, nor a Frenchman, nor an Englishman, nor a Neapolitan, nor a German; and in all these nations you will find members of the Rothschild family. He is of a nation of which the present state of existence is a signal miracle, and I cannot help feeling that the hon. Member when he enters an Austrian title upon the rolls of this House, verifies the saying, that a true Jew can be really of no nation, but of that nation which is a standing miracle of the justice of the Almighty in its present scattered condition. I will not further detain the House. I cannot assent to the Motion which has been proposed by the noble Lord the Member for London. My conduct on this question has been actuated by a sense of duty, and as long as I have a seat here I shall vote against this infraction of its Christian character. As long as I have a seat in this House I will ask those also who entertain the same convictions to vote with me. And I cannot think that our protest deserves to be termed intolerant, bigoted, or uncharitable; for what we ask is simply this, that the moral rule adopted for the conduct of this House in its corporate capacity shall be the rule of Protestant Christianity; if you condemn us as intolerant, bigoted, or presumptuous, you condemn the religion to which we adhere, and which we would see prevail as furnishing the code of morality for our guidance as an English Legislature. I warn you that this Act which you are now called upon to sanction is deeply and widely unpopular. You may meet with cheers from the inconsiderate, but I tell you that the feeling which lies deep in the breasts of the people of England is one of regret that, in what they consider a wanton exercise of liberality, this House should be tempted to discard that great code of morality which is their guide in the government of their families and in all the relations of life, and should depart from that recognition of the Almighty which is common to all Christians, and without which to us He is an "Unknown God."

LORD JOHN RUSSELL: I hope the hon. Gentleman will not think that I am wanting in respect towards him if I do not reply in detail to the observations which he has just addressed to the House. I have great respect for the conscientious convictions of the hon. Gentleman with regard to this and other similar questions; but this matter has been so much debated in former Parliaments, and so far as the House of Commons is concerned, has been so clearly decided, that I think it unnecessary to enter upon any further discussion of it.

MR. SPEAKER having put the question, there were numerous cries of "Aye," "Aye;" and some "Noes;" whereon Mr. Speaker declared "The Ayes have it." But cries of "No" being repeated, Mr. SPEAKER again put the question, and again pronounced "The Ayes have it." Whereon the Question being resolved in the affirmative, and the Resolution agreed to, Baron Lionel Nathan de Rothschild again advanced to the table to take the oath. But, Mr. NEWDEGATE rose and said: Sir, I beg to observe that I said "No," in the most distinct manner—that "the Noes have it."

Mr. SPEAKER: I put the Question in the usual form, and certainly without precipitation, and I heard no negation. I am in the judgment of the House, whether when I for the second time declared that "the Ayes have it," any Gentleman in a manner sufficiently audible questioned that decision. I certainly heard none, and therefore I declared that the Ayes had it.

Mr. SPOONER said, that both he and his colleague certainly said "No," but he supposed the right hon. Gentleman did not hear it. Some other Gentleman who sat near him also said "No."

Sir G. GREY said, that he listened attentively, and he was of opinion that no Gentlemen said "No" audibly; and therefore Mr. Speaker was fully justified in declaring that the Ayes had it.

Mr. NEWDEGATE repeated that he said No" at the proper time as audibly as he could, and that his hon. Colleague had also said it.

Mr. FITZROY said, that he had no doubt the hon. Gentleman said "No" on the Question; but he did not challenge the decision of the Speaker, when he declared that the Ayes had it.

Mr. WHITMORE said, that he was sitting below the hon. Member for North Warwickshire (Mr. Newdegate), and he certainly did not hear him question the decision of the Speaker.

Then Baron Lionel Nathan de Rothschild, Alderman David Salomons, and Baron Mayer Amschel de Rothschild, being Members professing the Jewish Religion, having come to the Table, were sworn upon the Old Testament; and took the Oath, omitting the words "and I make this declaration upon the true faith of a Christian;" and subscribed the same.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion, took and subscribed the Roman Catholic Oath; and one Member, being one of the People called Quakers, made and subscribed the Affirmation required by law.

Mr. NEWDEGATE said, I extremely regret, Sir, to have to protest against any decision of yours; but having consulted with several Members on these benches, as well as with my hon. Colleague, I am distinctly of opinion that we did give you adequate notice that we did intend to divide the House on the question of the admission of Baron Rothschild to sit and vote in the House. I have also consulted a work, which is usually considered of some authority in this House—the work of an eminent officer connected with the clerkship of this House—and I find it is laid down by him that if any Member protests that the Question has not been properly put, it is in accordance with the practice of Parliament that you should put that Question again. I make this protest, Sir, with the utmost deference for your authority; but it is my conviction, along with many other hon. Members of this House, that although our dissent may, through accident, not have reached your hearing, yet, on my instantly afterwards expressing my dissent, it would have been in accordance with the practice of this House if you had accorded to us the opportunity of recording our opinions against the Resolution by a division.

Mr. SPEAKER: In reply to what has fallen from the hon. Member, I can only regret that any decision of mine should be open in any way to question. My decision was given in the presence of the House and of a large attendance of Members; and I can only regret, if the hon. Member intended to question my decision or the way in which it was given, that he did not do so in a sufficiently audible and distinct manner, which would have left no doubt either on my own mind or on the minds of the great majority of Members who were then present.

House adjourned at Four o'clock.

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HOUSE OF LORDS,

Tuesday, June 7, 1859.

Minutes.] *Took the Oath.*—Several Lords; George Wyndham, of Pentworth, Esquire, having been created Baron Leconfield—Was (in the usual Manner) introduced; The Duke of Norfolk and the Lord Arundel of Wardour—Took the Oath prescribed by the Act 10 *Geo.* IV., to be taken by Peers professing the Roman Catholic Religion.

Public Bills.—1ª. Law of Property and Trustees Relief Amendment.

Select Vestries—Bill, *pro formâ*, read 1ª

This day Her Majesty was pleased to make a most Gracious Speech to both Houses of Parliament, declaring the causes of calling this present Parliament.

THE QUEEN'S SPEECH.

The QUEEN, being seated on the Throne, and the Commons being at the Bar, with their Speaker, Her Majesty was pleased to make a most Gracious Speech to both Houses of Parliament, as follows ;—

" *My Lords, and Gentlemen,*

I avail Myself with Satisfaction, in the present anxious State of Public Affairs, of the Advice of My Parliament, which I have summoned to meet with the least possible Delay.

I have directed that Papers shall be laid before you, from which you will learn how earnest and unceasing have been My Endeavours to preserve the Peace of *Europe*.

Those Endeavours have unhappily failed, and War has been declared between *France* and *Sardinia* on one Side and *Austria* on the other. Receiving Assurances of Friendship from both the contending Parties, I intend to maintain between them a strict and impartial Neutrality; and I hope, with God's Assistance, to preserve to My People the Blessings of continued Peace.

Considering, however, the present State of *Europe*, I have deemed it necessary, for the Security of My Dominions and the Honour of My Crown, to increase My Naval Forces to an Amount exceeding that which has been sanctioned by Parliament.

I rely with Confidence on your cordial Concurrence in this precautionary Measure of defensive Policy.

The King of the *Two Sicilies*, having announced to Me the Death of The King His Father and His own Accession, I have thought fit, in concert with The Emperor of the *French*, to renew My diplomatic Intercourse with the Court of *Naples*, which had been suspended during the late Reign.

All My other Foreign Relations continue on a perfectly satisfactory Footing.

" *Gentlemen of the House of Commons,*

The Estimates for the Year, for which provision has not been made by the late Parliament, will be immediately laid before you, together with such supplementary Estimates as present Circumstances render indispensably necessary for the Public Service.

" *My Lords, and Gentlemen,*

I have directed a Bill to be prepared for giving Effect, so far as the Aid of Parliament may be required, to certain Suggestions of the Commissioners whom I had appointed to inquire into the best Mode of efficiently Manning the Royal Navy, and I recommend this important Subject to your immediate Attention.

Measures of legal and social Improvement, the progress of which in the late Parliament was necessarily interrupted by the Dissolution, will again be brought under your Consideration.

I should with Pleasure give My Sanction to any well-considered Measure for the Amendment of the Laws which regulate the Representation of My People in Parliament; and should you be of opinion that the Necessity of giving your immediate Attention to Measures of Urgency relating to the Defence and financial Condition of the Country will not leave you sufficient Time for legislating with due Deliberation during the present Session on a Subject at once so difficult and so extensive, I trust that at the Commencement of the next Session your earnest Attention will be given to a Question of which an early and satisfactory Settlement would be greatly to the Public Advantage.

I feel assured that you will enter with Zeal and Diligence on the Discharge of your Parliamentary Duties ; and I pray that the Result of your Deliberations may tend to secure to the Country the Continuance of Peace abroad and progressive Improvement at home.

Her Majesty then retired.

House adjourned during pleasure.

House resumed.

ADDRESS IN ANSWER TO HER MAJESTY'S SPEECH.

The QUEEN'S SPEECH having been *reported* by the Lord Chancellor,

THE EARL OF POWIS rose to move an humble Address in Answer to Her Majesty's gracious Speech, and said:—My Lords, so short a time has elapsed since the commencement of the last Session of Parliament that your Lordships will be naturally inclined, on the present occasion, rather to confine your attention to the one or two points of domestic administration and foreign policy which are referred to in Her Majesty's gracious Speech, and, as a consequence, to relieve me from the necessity of recapitulating to your Lordships those various measures of legal and social improvement which were adverted to, at the commencement of the last Session, by my noble Kinsman who then discharged the duty which I have now the honour to perform. Several of these measures have, indeed, been brought under the consideration of the Legislature; but their progress has necessarily been interrupted by the dissolution; and it will be for your Lordships and the other House of Parliament to consider how you may best and with the least possible delay replace them in that position which they had reached in each House respectively previously to the dissolution of Parliament. In matters of private legislation, the Bills will, I believe, be allowed to pass as it were *per saltum*, and by merely formal proceedings, to the stage at which they had arrived previously to the dissolution, and will therefore virtually be resumed at the points at which they were left when the dissolution closed business. This cannot be the case with Public Bills: yet since through the discussions which have taken place, men's minds have become familiarized with the chief features of these measures—such, for instance, as the Bankruptcy Bill and that for conferring a Parliamentary title to landed estate, as to which their promoters are already in the possession of the views of the leading Members of Parliament—it is not, I think, too much to expect that the time allotted for the consideration of their earlier stages will, in consideration of that which has already been afforded them, be materially abridged.

My Lords, I think that upon this occasion it would be out of place were I to enter into a discussion of the topics which are involved in the late dissolution, or were I to indulge in any speculations which that dissolution is likely to have on the relative strength of political parties—and I am the more strongly of that opinion because the dissolution arose in the first place out of a question brought before the other House of Parliament only, and which has never been regularly before your Lordships; and in the second place, because it is a measure which tells exclusively upon the constitution of the other House:—I could not, therefore, without an infringement of that wise constitutional usage which renders the Members of your Lordships' House reluctant to deal with subjects in which the interests, dignity, or actions of the other branch of the Legislature are chiefly involved, enter into any consideration of those topics, I will therefore, in referring to the recent dissolution, content myself with simply asking your Lordships to return your Thanks to Her Majesty for having at so early a period reassembled Her Parliament, a step in the advantage of which, in the present critical state of Europe, every one will concur. Her Majesty, in Her gracious Speech from the Throne, has alluded to those important questions of the national finances and the national defences which cannot fail immediately to engage the anxious attention of the Legislature; and Her Majesty then suggests whether it would not be more prudent to take up the important and embarrassing question of Parliamentary Reform at the commencement of next year, rather than to attempt in the month of June to grapple a second time with the difficulties with which it is beset. The satisfactory settlement of so extensive and so delicate a question requires a full and solemn deliberation, with the concurrence of a large number of the Members of both branches of the Legislature: and it is quite clear that even should a measure of Parliamentary Reform pass through the other House of Parliament during the present Session, it is impossible that it should be brought under your Lordships' consideration until a most unusual and most inconvenient season of the year. It is, therefore, I think fitting that Parliament should consider whether the subject of Parliamentary Reform may not be considered with more advantage in the Session of next year: and, indeed, if we look back to Parliamentary precedents we shall find that such spasmodic legislation has not always been followed by the advantages anticipated. Although it is true that since the dissolution no events of moment have occurred, either with respect to India or our colonial possessions, yet it will task to the utmost the energies not of the Governor General only, but of the Government at home to restore order to Indian finance, to continue those public works which are of so much importance to the material prosperity of that country, and to disband some part of those innumerable levies which press so hardly upon the resources and consume, for the moment, so considerable a portion of the revenues of India.

My Lords, whilst speaking on the subject of India, your Lordships will allow me to notice with satisfaction the honours which have been conferred on the Governor General, and the Governor of Bombay, and the circumstance that Her Majesty has greeted the return to England of one of the most distinguished of the old East India Company's servants, by bestowing upon Sir John Lawrence well merited decorations, and by adding his name and experience to the number of Her Privy Council; and I must at the same time be allowed to say that in my opinion—with all the prestige of the Imperial Government, and with all the advantages which competitive examination is able to produce, it will be long before the new administration of Indian affairs furnishes men who will eclipse those civil servants of the East India Company, who from small beginnings in the course of a single century, raised up that great empire which reflects so much glory upon the civil and military agents of the great corporation in whose name they acted. Your Lordships will also greet with pleasure the return to his country of the noble Earl who has opened up such important fields to British commerce in China and Japan, and who has recently given to the citizens of London an account of his mission as amusing as if it had been a trip to Mont Blanc. Your Lordships will also hear with pleasure that a new colony has recently been erected in Australia, so that British Columbia is no longer the youngest of the British dependencies. I think, also, that it is to the credit of our Colonial administration—that in spite of the excitement amongst the population attendant on the discovery of new Gold Fields, the early history of British Columbia is characterised by the utmost tranquillity and good order, and that there has been an utter absence of any excesses among the inhabitants, such as occurred in California or even in Victoria.

But, my Lords, even the absorbing question of Reform pales before the excitement of foreign politics. The attention of all Europe is concentrated upon Italy.

> "Per varios casus, per tot discrimina rerum,
> Tendimus in Latium;"

I wish my noble Friend the Foreign Secretary could add—

> "Sedes ubi Fata quietas
> "Ostendunt."

Although the noble Earl's efforts to maintain the peace of Europe have, unfortunately, not been successful, the noble Earl has adopted the most decided arrangements for maintaining the neutrality of this country, amidst the deplorable conflicts now raging between Austria and France, and Sardinia, upon the fertile plains of northern Italy. The papers which Her Majesty in Her gracious speech has intimated will be laid on the table of the House, will show how unceasing and how active have been the exertions of Her Majesty's Ministers to avert the horrors of War; the Government has proclaimed the desire of this country to observe a strict neutrality, and this policy seems generally to have been approved by public opinion. We desire no extension of power or territorial aggrandizement in Italy; we seek for no exclusive influence in any part of Europe, our national Church has no connection with that of Rome; but it is not so with the belligerent powers, who are now engaged in deadly combat, and we cannot expect France and Austria to look upon these things from a purely English point of view. We must not be surprised that France and Austria, each of whom declares itself to be the favourite child of the Church, should look with jealousy upon any attempt of the other to attain power by the exercise of paramount influence over the Sovereign Pontiff, who wields over the churches of their respective dominions, not a nominal but a real and effectual supremacy on questions of practice and doctrine, and over the nomination and promotion of their clergy. Austria, too, is as proud of Lombardy and Venice as this country was of her new England Colonies, and remembering the long protracted struggle which we maintained for the retention of those provinces, through many disasters, we cannot expect that Austria will easily surrender her Italian provinces. France looks back to the battle of Pavia, though three centuries of military history, and the traditions of Italy are as popular with the French grenadier, as an invasion of Scotland or a campaign in Normandy or Poitou was to the archers or yeomen of the Plantagenets. But as we are altogether free from these ecclesiastical or historic influences, it is to be hoped that Her Majesty's Government will be able to preserve that attitude of neutrality which they have adopted, and that, abstaining from any share in this war, we may await the time when we shall be able to exert our influence effectually for the restoration of peace to Europe, and be able to effect something for the permanent happiness of Italy, a land which is associated with so many classical and so many beautiful recollections. But even though we may succeed in escaping the actual horrors of war, we cannot, I am afraid, avoid all the evil consequences which arise out of that unhappy state of things. The trade of this country was seriously affected by the declaration of war. The rise in the rate of discount shows how sensitive commerce is to the interruption occasioned by war; and at the present moment there are large branches of our manufacturing interests, connected with the export trade to Germany in a complete state of stagnation. In other respects, as regards the state of our Home markets, trade is generally in a sound and satisfactory condition. Our Iron trade and our Shipping interest have been for a time in a state of great depression; perhaps it is as well that we should be reminded by these facts how indispensable is the continuance of peace to commercial prosperity; and that we cannot remain indifferent while other European powers are engaged in a deadly struggle.

My Lords, the accession of a new King to the throne of Naples has enabled Her Majesty to renew diplomatic relations with that country. In a State where the Royal authority is supreme, differences with foreign Powers readily disappear on the accession of a new Sovereign. At such a crisis the renewal of friendly relations with Naples is manifestly of great importance; and it may also be of great advantage to have by the side of the new Sovereign a representative from whom he may, perhaps, be willing to receive suggestions for improving the condition of his people, and ensuring the tranquillity of his dominions.

My Lords, among the complications which now unhappily exist in regard to so large a portion of Europe, it is satisfactory to know that, although there are some questions connected with Central America which still remain to be adjusted, our relations with the Government of the United States were never upon a more satisfactory footing than at the present moment. This reference to foreign affairs naturally leads me, my Lords, to the subject of our national defences. While Europe counts her soldiers by millions, and half a million of men are in actual conflict on the plains of Italy, it would be absurd for us to have the Channel and our Mediterranean posts unguarded. Our neutrality, my Lords, would be little respected if we made no preparation for our national defence should we be attacked. The great Powers would answer us with the words of the soldier in the play, "We will argue in platoons." It is not, therefore, to be wondered at that Her Majesty's Goverment have ventured to overstep the powers entrusted to them, and to take steps for increasing our naval forces. Her Majesty has also informed us that it will be necessary to ask for further supplies for the exigencies of the public service. This is necessary even for our protection at home; and it is incumbent on the Government to run no risk of losing such possessions as Gibraltar and Malta. With the same view Her Majesty's Government have cordially accepted the offers of assistance for our home defence which the national spirit and pratriotism have called forth from all parts of the country. Considering the smallness of our regular army, the rifle corps now forming in every part of the kingdom will form an important addition to our military strength, and as they will enlist a class of men different from those who serve in the line or militia, the Government have wisely desired to interfere as little as possible with the local arrangements or internal constitution of these corps, and have directed their attention chiefly to making them available by sketching out a general plan of organization and by issuing general regulations as to their arms and ammunition. These corps will form a body of skilled marksmen and intelligent men who cannot fail to present a formidable obstacle to any force that should dare to attack us. We have now several thousand guns surrounding our coasts, in the manning of which volunteer companies of artillerymen would be able to render valuable assistance; and I am happy to find that the Government are determined to give every possible assistance to these patriotic volunteers in affording them the means and opportunity of practising, and of attaching themselves to particular guns and batteries. Such, my Lords, is the way to make our neutrality respected, and to secure the safety of our shores.

My Lords, I think I have now gone through the subjects touched upon in Her Majesty's gracious Speech. I cannot, however, conclude, without alluding to the temper, forbearance, and moderation which distinguished the speeches of noble Lords opposite during the discussion of matters connected with foreign affairs. I trust that both in this and the other House of Parliament the same praiseworthy course will be pursued in the present Session: for if the remonstrances and representations of England are to have their proper effect abroad, that result can only be obtained through the unanimity of political parties upon questions of foreign policy—an unity of opinion which has hitherto happily existed despite of the differences of opinion on questions of domestic interest.

Permit me now to thank your Lordships for the attention with which you have listened to me, and to express a wish—which I know is common to us all—that this country may continue to enjoy that peace and prosperity which have been the prevailing character of the twenty years, during which we have had the happiness of being reigned over by our gracious Queen.

The noble Earl concluded by moving—"That an humble Address be presented to Her Majesty, in answer to Her Gracious Speech from the Throne."

The following is a copy of the Address agreed to:—

"MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble Thanks to Your Majesty for the gracious Speech which Your Majesty has been pleased to make to both Houses of Parliament.

"WE humbly thank Your Majesty for informing us, that Your Majesty has, with Satisfaction, availed Yourself, in the present anxious State of Public Affairs, of the Advice of Your Parliament, which Your Majesty has summoned with the least possible Delay.

"WE humbly thank Your Majesty for having directed that Papers shall be laid before us, from which we shall learn how earnest and unceasing have been Your Majesty's Endeavours to preserve the Peace of *Europe*.

"WE humbly assure Your Majesty that we partake in Your Majesty's Regret that those Endeavours have unhappily failed, and War has been declared between *France* and *Sardinia* on one Side and *Austria* on the other. We rejoice to learn that Your Majesty, receiving Assurances of Friendship from both the contending Parties, intends to maintain between them a strict and impartial Neutrality; and that Your Majesty hopes, with God's Assistance, to preserve to your People the Blessings of continued Peace.

"WE humbly thank Your Majesty for informing us, that, considering the present State of *Europe*, Your Majesty has deemed it necessary, for the Security of Your Majesty's Dominions and the Honour of Your Majesty's Crown, to increase Your Majesty's Naval Forces to an Amount exceeding that which has been sanctioned by Parliament. Your Majesty may rely with Confidence on our cordial Concurrence in this precautionary Measure of defensive Policy.

"WE humbly thank Your Majesty for informing us, that The King of the *Two Sicilies* having announced to Your Majesty the Death of The King His Father and His own Accession, Your Majesty has thought fit, in concert with The Emperor of the *French*, to renew Your Majesty's diplomatic Intercourse with the Court of *Naples*, which has been suspended during the late Reign.

"WE rejoice to be assured that all Your Majesty's other Foreign Relations continue on a perfectly satisfactory Footing.

"WE humbly thank Your Majesty for having directed that a Bill be prepared for giving Effect, so far as the Aid of Parliament may be required, to certain Suggestions of the Commissioners whom Your Majesty had appointed to inquire into the best Mode of efficiently manning the Royal Navy, and assure Your Majesty that this important Subject shall receive our immediate Attention.

"WE humbly assure Your Majesty that we learn with Satisfaction that Measures of legal and social Improvement, the Progress of which in the late Parliament was necessarily interrupted by the Dissolution, will again be brought under our Consideration.

"WE humbly thank Your Majesty for informing us, that Your Majesty would with Pleasure give Your Majesty's Sanction to any well-considered Measure for the Amendment of the Laws which regulate the Representation of your Majesty's People in Parliament; and we humbly assure Your Majesty, that should we be of opinion that the Necessity of giving our immediate Attention to Measures of Urgency, relating to the Defence and financial Condition of the Country will not leave us sufficient Time for legislating with due Deliberation during the present Session on a Subject at once so difficult and so extensive, we trust to be enabled at the Commencement of the next Session to give our earnest Attention to a Question of which an early and satisfactory Settlement would be greatly to the Public Advantage.

"We humbly express our Gratification that Your Majesty feels assured that we shall enter with Zeal and Diligence on the Discharge of our Parliamentary Duties; and in common with Your Majesty we pray that the Result of our Deliberations may tend to secure to the Country, the Continuance of Peace abroad and progressive Improvement at home."

Viscount LIFFORD said, My Lords, upon ordinary occasions I have been unwilling to trespass upon your Lordships' time and attention by addressing you at any length, and I am glad to find myself relieved on the present occasion from doing so, by the able speech of my noble Friend who has preceded me. I hope, however, before I proceed to the subjects suggested by Her Majesty's gracious Speech, I may be permitted for a moment to refer to the circumstances under which Her Majesty has been advised to address two Parliaments within the space of five months. For some weeks past your Lordships' deliberations have been suspended and the Parliament has been dissolved in order that the question might be submitted to the country whether Her Majesty's Government possess the confidence of the nation. That question has been answered not unfavourably by the constituencies of the United Kingdom. The question that was discussed by the constituencies during the elections was not whether they should have a Reform Bill or not, but by whom the government of the country should be carried on. The answer to the appeal of the Government was most unequivocal in that part of the kingdom with which I am more particularly connected. A result so unexpected by the Opposition they have attempted to account for in the way usual to an expiring faction—by an alliance between Her Majesty's Ministers and the Pope and Cardinal Wiseman. I believe, however, that the people of Ireland have pronounced in favour of Her Majesty's Government for reasons social not political. In the first place they feel that the relations between landlord and tenant in Ireland, which had before created so many heart-burnings, are in a much more satisfactory state than they have ever been before. In the next place they know that the most even-handed justice has been administered to all without respect of creed or parties, and the present Most Excellent Lord Lieutenant of Ireland has gained the affections of the people by the anxious attention he bestows on the domestic resources of the country, and by his ardent desire to benefit all classes alike. I do not doubt the loyalty of Liberal candidates, but it is the fact that they have always had the support of the disaffected in Ireland, and therefore the success of the Government would not surprise any one who knew how much disaffection has disappeared; noble Lords opposite will rejoice to hear that the amelioration of the country, under a system of justice and conciliation, which was commenced by their predecessors, is daily increasing under the present administration, who have succeeded in obtaining for the Crown the loyalty, the respect, and the affections of a warm-hearted people.

I will now, however, my Lords, turn to the topics contained in the Speech from the Throne. When we last met here, prior to the dissolution of the Parliament, the question of peace and war hung in the balance. We received from Her Majesty's Ministers an assurance that they would use their utmost endeavours to maintain the peace of Europe, and that, if unhappily they failed in their efforts, they would do the utmost in their power for an honourable neutrality. Unhappily, however, these efforts, though admirably directed, have proved unsuccessful in preserving the peace of Europe; but we have the satisfaction of learning from Her Majesty's Speech that our neutrality is secure. Her Majesty says:—

> "Those endeavours have unhappily failed; and war has been declared between France and Sardinia on one side, and Austria on the other. Receiving assurances of friendship from both the contending parties, I intend to maintain between them a strict and impartial neutrality; and I hope, with God's assistance, to preserve to my people the blessing of continued peace."

Her Majesty then adds:—

> "Considering, however, the present state of Europe, I have deemed it necessary to the security of my dominions and the honour of my Crown to increase my naval forces to an amount exceeding that which has been sanctioned by Parliament."

I am sure that the wisdom of this course will be at once manifest, and that Parliament and the country will cordially concur in the policy thus indicated, and will cheerfully bear the expenses these precautionary measures may occasion.

Her Majesty further announces to us that, in consequence of the death of the King of the Two Sicilies, she has thought fit, in concert with the Emperor of the French, to renew diplomatic intercourse with the Court of Naples.

Your Lordships will, I am sure, rejoice at this announcement, though it is to be regretted that the moral effect which had been expected to be produced by the withdrawal of our Ambassador has failed to be realized.

Her Majesty is further graciously pleased to inform us that—

> "Measures of legal and social improvement, the progress of which, in the late Parliament, was necessarily interrupted by the dissolution, will again be brought under your consideration."

Such questions do not always meet with the attention they deserve, but as they are recommended by Her Majesty in Her Speech, and are unconnected with party or political feelings, I am sure that when brought forward they will receive the attention of Parliament.

I now come, my Lords, to the subject of the measure for improving the representation of the people. I think that this question must necessarily be deferred to the next Session of Parliament. And, my Lords, I must say, that I deeply regret that the Bill introduced last Session by Her Majesty's Government was not passed into a law; because that measure contained provisions which would have extended to every educated man in the country, as well as to every prudent and intelligent artizan who deposited £60 in a savings' bank, the boon of the elective franchise:—certainly, this clause was peculiarly adapted to admit to the franchise such persons as, though possessed of knowledge, skill, and economy, are nevertheless passed over under the present electoral system. But, my Lords, it has been said, that the question of Parliamentary Reform is unfit to be committed to the hands of a Conservative Administration. The noble Lord the Member for London is often put forward as if he were the only person who was entitled to deal with this subject. But if he was in 1833 Paymaster of the Forces, who was Colonial Secretary? How few now on these benches opposed the Reform Bill of 1832? I see near me one honoured head (Lord Lyndhurst) who then defended the constitution from what he deemed dangerous innovation; but I see, too, before me, on the Opposition benches, many noble Lords who began life as determined enemies of Reform. Do I taunt those noble Lords with inconsistency? I do not think that a change of opinion necessarily of itself constitutes a ground of taunt or reproach—on the contrary, I think that a change of political conduct is often the severest and truest test of the honesty of statesmen. But there are two modes in which a statesman may change his opinions: one is by sacrificing principle for the sake of party, and the other by sacrificing party for the sake of principle. Mr. Burke sacrificed party to principle. The Duke of Wellington sacrificed party to political necessity. Sir R. Peel sacrificed party to conviction, and the name of Sir Robert Peel had now become a household word in every English home. The noble Earl, too, now at the head of Her Majesty's Government, subordinated his party to his principles, when it was sought to trench upon the property of the Irish Church, and he now sat in that House with a decided majority of their Lordships, and with an united following of more than 300 Members in the other House of Parliament. The political contests of the last months have been, except in one instance, marked by the absence of party language. In that single instance, the hon. Member for Birmingham has recently told an excited multitude that the higher classes in this country have an immediate interest in plunging the country into war. This is an assertion which may be disproved by a simple reference to the army and navy lists and to the income-tax returns. The same hon. Gentleman has also laid down the monstrous proposition that the owners and occupiers of land are sufficiently represented in this House — an assembly which can neither initiate nor even modify a measure imposing taxation. The country generally repudiates such extravagant and subversive doctrines. But without the hon. Member for Birmingham, and unless they do his bidding, the noble Lord (the Member for London) and the noble Viscount (the Member for Tiverton) are politically powerless. The question now forces itself on our notice, How is the Queen's Government to be carried on? The crisis foreseen by Lord Jeffrey has been postponed for twenty-five years by the "finality" of the noble Lord the Member for London and the Conservative tendencies of the noble Viscount the Member for Tiverton. The Reform Act of 1832 has been followed by many excellent measures of internal improvement, not a few of which have been promoted by Conservative Governments acting in obedience to that to which no Minister need be ashamed to yield—namely, the bidding of a mature, enlightened and unequivocally expressed public opinion. Many of these were seen in the measures of last year; but I trust that neither ambition nor party spirit, nor the nobler but not less dangerous motive of democratic prejudice—untaught by history, that the result of democracy is despotism—will deal a heavy blow and great discouragement to the cause of representative government in Europe and the extension of the franchise at home. My Lords, I feel much honoured in being permitted to Second the Address moved by the noble Earl.

Earl GRANVILLE: My Lords, we have often had the advantage of hearing in this House the noble Earl who moved the Address, yet I cannot but acknowledge the singularly conciliatory manner in which he has performed the duty which has been confided to him to-day; and I may also add that the noble Lord who seconded the Address, though he has not altogether refrained from attack, yet has performed his part in such a manner that I hope he will be encouraged to take a more frequent part in the discussions of this House. The noble Earl (the Earl of Powis), directly alluding to me, has been pleased to say that I am in the habit of addressing your Lordships with ability, and without exhibiting a factious spirit. Now, although in the observations I am about to address to the House, the first quality for which the noble Earl gave me credit may be entirely absent, I trust I shall prove the justice of the noble Earl's second remark with reference to my conduct, although I must necessarily touch upon questions in my views of which I cannot expect all your Lordships to agree with me. The Speech we have this day heard from the Throne is the third which Her Majesty has been advised by Her Ministers to address to Parliament during the present year. There have been differences both with regard to the circumstances under which those Speeches have been delivered, and the topics to which they have referred; and I regret to say that the Speech we have heard to-day has been addressed to us at a far more important crisis, and under circumstances likely to lead to far graver complications than existed when Her Majesty was graciously pleased to address Parliament at an earlier period of the year. In the first Speech, delivered by Her Majesty at the commencement of the last Session, one of the principal topics touched upon was Parliamentary reform. In the Speech in which Her Majesty dissolved the last Parliament the principal topic, if I remember rightly the somewhat unusual words placed in Her Majesty's mouth, amounted to an invocation to Divine Providence to give a majority to the present Government. And I am obliged to add, that in addressing that prayer Her Majesty's Ministers have not forgotten the moral of the fable—they have not played the part of the waggoner in the fable, and contented themselves with prayers alone, but they have applied their Governmental shoulders most energetically to the wheel. In the Speech which has been delivered to-day no reference is made as to whether this prayer has or has not been granted; but the noble Lord who last spoke has intimated that the noble Earl opposite (the Earl of Derby) is at the head of a large majority in this House—which majority, I admit, he has taken practical means of increasing—and that he will be supported by the votes of 300 Members in the other House of Parliament. If the number be, as the noble Lord states, only 300, I apprehend the addition to the Government force has not been great, and that it is still the fate of the Government to be in a minority. I fear then it is still the intention of Her Majesty's Ministers to attempt to carry on the government of the country by a minority of Parliament; and it is to the fact of the Government having been conducted by a Ministry who were in a minority in the other House—who were not sure of the confidence of that assembly—that I attribute much of what I think every one must deplore in the management of affairs both at home and abroad. It has been an error on the part of the political leaders of the Conservative party, with regard to the course they have pursued in Opposition—and still more in Government—that they have been too anxious to please everybody. I do not belong to the Conservative party in this country. Every day I rejoice that I have consistently belonged to that Liberal party who, from my earliest recollection, have always originated and promoted—if they have not always been the persons to carry—those great measures of progress which have been placed on the Statute-book. At the same time, while I advert to the errors of their leaders, I feel a great respect for the Conservative party. I acknowledge that it has a strong hold on the sympathies of a large portion of the people of this country—that so long as its principles are well defined and its conduct is in accordance with them it possesses very great importance in the country, and I believe that the Government would at this moment have stood in a stronger position if they had applied their conservative principles with moderation and judgment, instead of going to the right and to the left, trying to outbid others in popular propositions. The noble Earl (the Earl of Derby) shakes his head; but I will venture to point out some circumstances occurring within the last year, which I think somewhat justify the assertion I have made. I will first refer to the attempts at legislation. I hardly recollect a case either during the last Session or in the previous year when—whether Her Majesty's Government submitted to Parliament their own propositions, or adopted those of their predecessors in office, signal failure was not the result. In some instances this result was undoubtedly attributable to the endeavour to court a confidence which they felt they did not possess. The India Bill of the present Government was one of the greatest failures I ever remember; and it cannot be doubted that what made that Bill so great a failure was, in a great degree, the attempt to catch classes and individuals by a popularity-seeking measure. In the same way the subject of church rates was lately brought before Parliament, and the Government were obliged to abandon their measure. With regard to the question of Reform, the noble Earl (the Earl of Powis) has argued that it is unjust to assert that the Conservative party is not the best fitted to frame a measure for the reform of the representation. Well, my Lords, all I can say is that the experiment they made in this respect proved so signal a failure that, not only everybody opposed to the Government, but everybody on the same side with the Government, who was not actually in office, agreed in giving their measure their energetic condemnation. But I may refer to another class of measures. The Bill for the abolition of the property qualification was one which, in my mind, was perfectly unobjectionable; and the only drawback to it was that sort of distrust which is created by finding a party immediately after their accession to power—passing measures to which rightly or wrongly they had, when out of office, opposed. Nothing, I think, could be more unsatisfactory in its final result than the mode in which the question of the admission of Jews to the other House of Parliament was settled last year. Nothing could have placed the Government in a falser position. In the first instance they objected to the admission of Jews on the highest religious and moral grounds, which whatever strength they may intrinsically possess must necessarily remain as strong at the present moment as they ever did; and afterwards they came forward, not with an honest measure, settling the question, but with a proposal which Gentlemen on the opposite side of the House were bound to accept, because they found that, to a greater or less extent, it would enable them to attain practically the object they had in view, but which, while it left a certain stain of bigotry on the legislation of the country, proved to be so bungling a settlement of the question as to give rise during the last week, and even before the discussions of Parliament had commenced, to something like an unseemly controversy. This style of legislation, however, is not abandoned. I see, from the very long sentence which forms the last but one of Her Majesty's Speech, that notwithstanding the experience the Government gained from one of the ablest debates I ever remember in the House of Commons, and the discussions which have taken place on the hustings, they say in effect with reference to the subject of Reform, "We have no opinions at all; we shall be ready to do one thing or the other; it is not for us to guide the House of Commons, it is for them to do what they please." The noble Earl (the Earl of Derby) shakes his head again; but it appears to me that the terms of this sentence would justify an argument either for at once proposing a settlement of the question of reform or for postponing it for a shorter or a longer period. This is one of those points upon which, in my opinion, the Government ought to decide for themselves, and I think there is no excuse for their not deciding it except the consciousness that they do not possess the full confidence of Parliament. I may refer to another subject which relates to the department of a noble Earl opposite—I mean the Transatlantic packet service. I think no more important matter can engage the attention of the Executive Government than that of carefully watching and administering the grants of public money. What are the facts? Mr. Cunard had applied to the late Government for an extension of his contract, and the answer he received was that the Post Office Commission had recommended that for the future no contract should be made except by public tender, and that no contract should be made for more than five years. It was thought that different circumstances might occur, new packet stations might be formed, and other changes might be brought about within five years, which might render it unadvisable to bind the country for a longer period. It happened, moreover, that Canada had made an improvident bargain to pay £50,000 per annum, and in any future arrangement it was desirable to bear that bargain in mind, with a view to economising the public expenditure. When therefore the company which held the contract applied for a renewal of the engagement, our answer set these facts before them. But, within a month after the present Government came into office Mr. Cunard's contract was revived with a very considerable extension, while the Canadian subvention was left untouched. And, after all that came the grant of £80,000 for a packet service from Ireland to America. Now, that arrangement may have been right or it may have been wrong; but it certainly does offer a very bad appearance to the public when they find that the vacant seat for the representation of that port is filled up by a gentleman who is to represent not national but particular interests. There are some other matters,—such as the removal of mail packets from Plymouth to Liverpool, and the arrangement with telegraphic companies,—which are open to observation, but as to which I will not weary your Lordships by going into details. It certainly does appear that there has been too much facility in granting those concessions, arising from the natural fears of a weak Government desiring to obtain support in every quarter. The noble Lord who seconded the Address has spoken of a party cry being raised against the Government on account of the support which it has received in Ireland from the Roman Catholic clergy. There is no person in this House more anxious than I am that every concession should be made to the just claims of every religious denomination, whether Roman Catholic, Protestant Dissenter, or Jews, but I do think that when such concessions are made, it is much to be regretted that they should not be made in such a manner and at such a time as to prevent any suspicion from attaching to them of being made rather as means for obtaining political power. I think it is objectionable that gentlemen should go to the hustings boasting of the concessions which they have made in favour of Roman Catholic chaplains in the army, when the same parties a short time before had actually forced by their votes the preceding Government to rescind the very small sum granted for Roman Catholic chaplains in gaols. Motives are suggested in some of the cases I have alluded to, they are hinted at in others, and every one must feel that it would have been much better if these concessions had been quite free from all suspicion of political objects. Upon a still more important question it is believed the Government have acted upon similar motives — the great question of finance. What was the last Budget of the Government? It contained the same seductive suggestion which would present itself to the mind of any easy-going improvident man—to postpone to a future day the evils of the present moment. But although it may suit the Government to pursue that course, I think it places the finance of this country in a very unsatisfactory light. It may be very well for a Chancellor of the Exchequer addressing his constituents to talk of the National Debt as a mere flea-bite, and to expatiate upon the pleasant prospect of our having to pay, in event of war, £20,000,000 in income-tax for twenty years,—but before we arrive at that, as I think, deplorable condition, let us consider what is the actual state of our legislation in regard to our revenue. I am very much mistaken if, after deducting the £2,000,000 which will come in from the terminable annuities, we do not find there is something like £7,000,000 a year to be made up by future legislation. I think that the system which appears so easy, of putting off all difficulties, instead of acting upon well-defined principles, will be found to lead to an eventual accumulation, which will prove a serious matter for a future Government to deal with. I now come to the consideration of foreign affairs, and I can assure the noble Earl at the head of the Department, that I have not the slightest intention of making any personal attack upon him. I believe that no man is more anxious than he is to maintain the honour and interest of his country. But I do not think it would be just or fair in me, at a moment when the noble Earl is attacked, and is likely to be still more attacked, not to point out briefly some of the points upon which I imagine censure may be imputed to him, and thus giving him an opportunity of making such a statement in this House as he may think fit. I am quite ready to admit that, in passing any judgment upon foreign affairs, we are very likely to fall into error, because of the imperfect information we possess. As to documentary evidence, furnished to us by the Government as the means of forming a judgment on these subjects, I can only remember a few papers relating to the *Cagliari* and the Refugee affair, on the Right of Search a few papers; the despatches so well known referring to the case of the *Charles et Georges;* those, with a short letter to the shipowners, pointing out the actual result of the repeal of the navigation laws, complete our information—if we except a very long letter, extending over three very closely printed pages of royal quarto, pointing out, with almost mathematical exactitude, the disadvantages of good spelling and neat handwriting. Now, as to the *Cagliari* affair, I admit the noble Earl showed considerable skill in bringing it to a satisfactory termination, he having the benefit of certain information which was not possessed by the late Government, and being also assisted by the favourable feeling of the late King of Naples towards a Conservative Government. Another subject which I may mention is, the controversy which arose with the United States respecting the right of search, in which the question chiefly agitated was one which did not constitute the real difficulty between this country and America, and I am sorry that in the communications which then passed the noble Earl should have represented as concessions the abandonment of principles which were never contended for by this country. This was not a satisfactory mode of settling the question, and the extraordinary despatch of Mr. Dallas, and the publication of it, shows that respect is not the feeling of the Government of the United States towards Her Majesty's present Government. In the Royal Speech we are told that our relations are perfect with all foreign Powers, and I am very glad to hear it. I may observe that I have always thought with respect to Russia, that after the war was over, and the articles of the Treaty of Paris were executed, there was no reason why this country should not be upon perfectly friendly relations, always combined with that watchfulness, which it is the duty of the Foreign Office to exercise. The present Government had especial facilities for establishing such relations, inasmuch as they were not concerned in the conduct of the late war, nor in the somewhat irritating negotiations which followed the Treaty of Paris; but I am not aware that any progress has been made, or is making, towards ascertaining the sentiments of Russia in the present disturbed state of Europe; and it would be as surprising as it would be agreeable, if the noble Earl could now state anything satisfactory upon that point. I now come to the point of the greatest importance—that which occupies the minds of all men in this country, and throughout Europe. War is now actually raging. One of the most beautiful provinces of one of the most beautiful countries in the world is being devastated. Hundreds of thousands of men are ranged in arms against their fellow Christians to kill or to be killed, causing desolation and misery among millions. I believe there is no sentiment in which we are all more likely to agree than that this great and disastrous war is an unnecessary war. It is quite impossible as yet to foresee whether any good results may flow from it. I am quite aware that in the excitement of the moment France, whose thoughts have always been associated with military glory, has now had her aspirations renewed; that Sardinia, famous as she always has been for military courage, inspired now by the freedom which she herself enjoys, and actuated by feelings of sympathy for the suffering people of the Italian Peninsula, is anxious to be led to victory by her most heroic King, and I am sure, too, that Austria is also in a state of excitement, having a large and magnificent army celebrated for endurance under military discouragement—smarting, too, as she may be, for military reverses, and, perhaps, as I was informed, just before entering the House, inspired by more recent military successes—it is impossible at present to expect from those Powers a calm and impartial consideration of the state of affairs. If there be time for calm reflection, I think each belligerent must ask himself the question whether they have not each in different ways and in different degrees contributed to bring about this most melancholy war. If such thoughts come across the mind, I flatter myself that other reflections will occur, and that in the judgment of Europe and the verdict of history he who first shows a real desire for the renewal of peace, and makes moderate proposals to that end, will stand infinitely the highest in the estimation of mankind. Another point which interests us more closely is what position England now takes. I believe no one will contend that England has contributed to this war; but has everything been done by Her Majesty's Government which it was possible to do to avert this calamity? As far as wishes, intentions, and zeal go, I have not the slightest doubt that the answer will be in the affirmative on the part of Her Majesty's Government; but the question is still doubtful, and can only be cleared up by the production of more numerous papers than we at present possess, whether Her Majesty's Government have shown that skill, that firmness, and that ability in dealing with an important crisis which might have given stronger hope of preventing the horrors of war. To do justice to noble Lords opposite, they have generally been frank and explicit in their declarations; but we find in their declarations on this subject many contradictions. We are perfectly ignorant at this moment whether Her Majesty's Government took any practical step before the meeting of Parliament in February, or within three weeks afterwards, to put a stop to the unfortunate state of things which then existed. There is great confusion about Lord Cowley's mission. We find that the Chancellor of the Exchequer in the last Parliament on one occasion (I forget the exact date) stated that Austria and France had agreed to evacuate the Papal States with the concurrence of the Pope, and that under those circumstances it was intended to send Lord Cowley to Vienna on a mission of peace. [*Dissent from the Ministerial benches.*] I am open to correction, but those are the words reported to have been uttered by the Chancellor of the Exchequer. Of course there must be some confusion, because, as far as we know, Austria and France never agreed to evacuate the Papal States, and the Pope was never asked for his concurrence, though I believe the Pope did make a demand for the withdrawal of the French and Austrian troops; but it is perfectly clear that it was not "under those circumstances" that Lord Cowley was sent to Vienna. Every one must approve a man entitled to much confidence as Lord Cowley being sent on a mission of that sort; but I should like to know whether there was any understanding with the Emperor of the French as to the definite objects of the mission, and whether any understanding was come to with him as to not taking any step either in war or diplomacy until the mission had arrived at some conclusion? I should also like to see, by the production of papers, whether the propositions made to Austria were reasonable, and such as Austria ought to accept—whether, having made those propositions, Her Majesty's Government applied their whole moral influence to induce Austria to accept them, and whether they failed or succeeded? We were told again, on the authority of the leader in the other House, that Lord Cowley's mission was, if not eminently, entirely successful; and if that were the case, I hope the papers, when produced, will show why, when so considerable a person as Her Majesty's representative at Paris was sent to Vienna, and succeeded in all his objects, and Her Majesty's Government stated their opinion that a Congress was an undesirable plan of settling these differences, they consented to throw over the plan which had been completely successful as far as it had gone, and to refer the whole business to a Congress. There are other matters which require some elucidation. I should like to know how far and why Her Majesty's Government advocated a system of disarmament before entering into the Congress, and how far, if at all, they yielded to the motion that it was reasonable to require Sardinia alone to disarm. All these matters can be cleared up by the papers and the explanations which the noble Earl the Secretary of State can give; and how far praise or blame attaches to the Government must depend on those explanations. But that which I am sorry to say is patent now, is that in every object which Her Majesty's Government sought, and which they told us they alone could succeed in obtaining, the failure has been as complete as it possibly could be, and I am very much afraid that if we knew anything of the state of Europe at present the result of the manner in which this business has been conducted would appear to be that we are disliked by Italy, that something like contempt is felt for us throughout the whole of Germany, and that it is very doubtful how far we have influence with the French Government. I will not go over the question which I have gone over twice before, without getting any answer, but merely express my conviction that the Government placed themselves in the greatest possible difficulty by the false step they made when they turned the late Government out of power. [*Laughter.*] I do think the act of turning the late Government out of power, considering the enormous blunders of the present Government, was a false step and a great mistake. But what I intended to say was, that the mode in which the present Government turned them out was one which placed them in a very disadvantageous position in their relations with other Powers, and more particularly with regard to France. I believe that a French alliance, under certain conditions, is most desirable for this country. I believe that the Emperor of the French has been desirous of maintaining that alliance, and I believe that he is desirous of maintaining that alliance now. I believe that one of the principal reasons which have influenced him in that course—and it is the best possible reason for all alliances—has been self-interest; but I believe that other circumstances have contributed to that feeling. I believe that he has a regard for the opinion of the country in which he resided for some time; and I believe that for the last nine or ten years another consideration has had great effect with him—namely, a belief in the high character, the straightforward conduct, and the practical ability and sense of the public men of this country. If anything was ever calculated to shake that belief it was the course taken a year ago in turning out the late Government. An attempt had been made on the Emperor's life, on the life of his wife, and on the lives of persons around him. It excited great indignation. The leader of the Conservative party in this House himself suggested that the *lacuna* in our law should be filled up so as to meet the case which had occurred. In the other House the leaders of the Conservative party supported that view upon the occasion of the first reading of the Conspiracy Bill. But when other persons, of perfectly different politics, opposed the Government, the favourable moment was seized for a party victory, and, on the flimsy pretence of an offensive letter not having been answered, which, in the first official communication of the noble Earl he described as not intended to be the least offensive, we saw the great Conservative party, under the guidance of their leaders, upset and destroy that Bill. I am not arguing whether that Bill was right or wrong. The point now is, that the conduct of the present Government was so vacillating that it was difficult to reconcile it with good faith, and with a desire to maintain the peace of Europe, and that such conduct did make the position of the noble Earl very disadvantageous in conducting foreign affairs. I am not going to prophesy; I think he would be a rash man who made any prophecy whatever as to the final termination or probable result of the present war. I am glad to see in the Speech assurances put forward by Her Majesty's Government of their desire to maintain neutrality and keep us at peace; I think, at the same time, that it would be an utter dereliction of duty on the part of any Government positively to declare, in the face of the world, that under all circumstances whatever we should remain neutral and maintain peace, and would clearly lead to the belligerent parties on either side not regarding our interests or wishes, and to lead to complications which, whether we wished it or not, must end in war. I dare say there are many present who have opposite views on the object and result of this war; but I have nothing to do with individual opinions. It is quite clear that it is the duty of the Government, as a Government to keep a real neutrality on this question, and then I will not say there is an impossibility of our resorting to force; but I hardly see any circumstances which would justify it. Sydney Smith, in one of his letters, states that "making war as the liberty-mongers of the whole of Europe is an attractive, but an expensive and ruinous amusement," and I think there is sense in that light manner of talking. On the other hand, it is utterly impossible for any Government to be so totally ignorant of the wishes of the country as to embark in a war for riveting the rule of a despotic State on other foreign countries which have passed under their dominion. The policy to be pursued is to remain neutral, to keep ourselves at peace, and to watch for the first opportunity when with real force and effect we may come in for the purpose of re-establishing peace, and securing better government and greater happiness in other countries. That policy is the proper one to pursue; but it requires in the application greater skill and greater firmness than Her Majesty's present advisers have hitherto exhibited. I have now, my Lords, touched—how very imperfectly I am aware

—upon the various points in respect to which I believe Her Majesty's Government to be open to censure. It may be, that in consequence of my having imputed to them blame in those cases in which they seem to me to deserve it, it would be deemed only consistent that I should move an Amendment to this Address. It is not, however, my intention to take that course; and, if your Lordships will but favour me with your attention for a few moments longer, I will explain to you why it is that I have come to that determination. It has usually been the practice, upon dissolving Parliament, that the dissolution should take place upon some question on which the Government of the day happened to have been beaten. Her Majesty's present advisers did not take that course. They were beaten on the Reform Bill which they laid before the other House of Parliament; but the appeal which they made to the country they based upon the question, whether or not they possessed its confidence, and were to retain that of Parliament. An answer has been given to the appeal, and there is, I imagine, little doubt that means will, in some way, be taken in the other House to ascertain what the verdict is which the country has pronounced. In the Speech which preceded the dissolution of Parliament, blame was expressed for the course which had rendered that dissolution necessary in a tone that I never knew adopted before. I deny that that blame was in any way to be justified. We, indeed, the Members of the Liberal party, might have some reason to complain of our conduct towards one another; but, so far as Her Majesty's Government is concerned, I cannot help saying that that House of Commons, in which they were considerably in a minority, behaved towards them with the utmost fairness and forbearance. During the whole of last year, a very large section of the Liberal party supported the measures of the party opposite upon the ground—certainly not very flattering to a Conservative Administration—that they tended more to the promotion of democracy than those of any other Government. I may add, that on the only vote which was in reality taken in a decisive shape against the Ministry, and which led to the late dissolution, a very large number of Liberals gave them their support. On the subject of foreign affairs, I can only say that I think the manner in which the House of Commons acted with respect to them reflects upon that body the highest credit. I believe that the way in which on three different occasions they left in the hands of their leaders the privilege of speaking on those interesting topics, and the prudence which was then exhibited by the speakers, were not only the theme of general admiration, but afforded considerable support to the Government, and produced the greatest possible effect upon the minds of the rulers of Austria, France, and Sardinia. Her Majesty's Government, nevertheless, I admit, having been defeated, adopted a perfectly constitutional course in dissolving Parliament. The justification of the step which they took must altogether depend on the circumstances of the case. It remains to be seen whether they were right in depriving the country of that weapon which they possessed to influence foreign Courts; for we must not forget that that very last step which rendered war imminent was taken only four days after the dissolution occurred. Another question upon which the propriety of that dissolution must depend is, whether Her Majesty's Government really believed that they were likely to obtain a majority in Parliament. If they imagined that such would be the case they must, I think, have been greatly deceived in their expectations; and I certainly cannot regard it as a wise or a statesmanlike policy that they should merely seek to strengthen their party for the purposes of future opposition, instead of securing the advantages of a powerful Government. What verdict the House of Commons may pronounce upon their conduct I, of course, cannot foretell. It is at all events perfectly clear—much as we may regret that we are not ruled by the best Government—that it is of the utmost importance we should have a Government; and if the vote of the House of Commons should be adverse to the present administration, the results will not, I trust, be unsatisfactory to the country. If, upon the other hand, that vote should be in favour of Her Majesty's present advisers, I for one am prepared to say most sincerely and distinctly—and I shall be very much surprised if I am opposed by those around me—that although we on this side of the House will not abstain from watching the course of public events, yet we shall always be found ready to give our support to the Government—where support can be conscientiously given—and entirely refrain from anything like factious or embarrassing opposition. For the reasons which I have just given I hope I may stand excused —while I think there is much to blame in the conduct of Her Majesty's Ministers, and, while I deem it desirable that they should not continue in power—from calling upon this House to come to-night to a decision which can with more propriety be arrived at in the other House of Parliament, and which, whatever it may be, all real and impartial persons must be desirous should result in leaving the affairs of the country in the hands of a good Government.

THE EARL OF MALMESBURY: My Lords, although my noble Friend who has just spoken has made one of those speeches which we usually hear on such occasions as the present, and has carefully avoided discussing the subjects mentioned in Her Majesty's Speech, yet I cannot regret that he has addressed your Lordships, inasmuch as the observations which have fallen from him are not altogether devoid of interest. I am personally much obliged to my noble Friend for having given me fair notice of those Parliamentary attacks which I must expect, and which I shall be fully prepared to meet whenever the time for making them shall have arrived, but which I do not think it right or convenient to your Lordships that I should further advert to this evening, inasmuch as you are not in possession of that information which it is desirable you should possess before such discussions are entered upon, and which I trust to be able to lay upon the table of the House in the course of three or four days. It is my intention to place before you at full length all the correspondence which has taken place between Her Majesty's Ministers and foreign Governments in relation to the war which has unfortunately recently broken out on the Continent, and to acquaint you with the efforts which have been made by Her Majesty's Government to prevent that calamity. The correspondence will embrace communications extending over some five or six months, and although it is somewhat lengthy, yet I have thought it better to lay it before you entire and to run the risk of its appearing somewhat tedious rather than keep back any part of it from your inspection. I shall, under those circumstances, make no defence at the present moment against the charge which my noble Friend has brought forward, to the effect that Her Majesty's Government are responsible—not indeed, he admits through want of zeal or energy, but through want of skill and ability—for not having arrested the calamity of a war in Europe. We have, at all events, my Lords, so far succeeded as to have prevented this country from being involved in the contest; nor do I think it is upon the theatre of the present war that noble Lords opposite should seek their ground of battle if they mean to make an attack on Her Majesty's Government. Before the noble Earl who has just spoken again reverts to this subject, I hope he will peruse, not only the despatches which I have written during the late negotiations, but that he will also direct his attention to those which were laid before Parliament in 1848, and in which a noble Viscount in "another place" took so prominent a part. And while giving expression to this hope, I may be allowed to say that much of what has now fallen upon my hands is due to the policy which that noble Viscount pursued in 1848, who then had a golden opportunity, such as has fallen to the lot of no other statesman, of emancipating a large portion of Italy, and rescuing it—if indeed rescue it can be called—from the oppression of which Austria is accused. My noble Friend must not forget what were called the "Italian Papers," in 1848, when he makes his attack upon me. They will serve to point out to him more clearly what has been effected in 1859, and I am not afraid of the comparison which may be instituted between the Government of that day and Her Majesty's present Administration. I will say no more upon the subject, because were I to do so I should be addressing your Lordships upon a subject on which you are not at present called upon to express an opinion, and you could not understand allusions which I should be obliged to make; but when the noble Earl makes his attack upon me, I shall be perfectly prepared to meet it.

LORD HOWDEN said, he should not have trespassed at all upon the attention of their Lordships upon the present occasion but that he was anxious to obtain some information on a point not only of great importance, but which gained fresh importance every day, and which appeared to him to have been studiously avoided in the Speech from the Throne. It could not have escaped their Lordships' recollection that about a month ago—he believed it was on the 3rd of May—a proclamation had been placarded all over Paris and the principal towns in France, which was meant to be not only an explanation of the past, but a sort of programme of the future. In that proclamation occurred the following phrase, which he should translate to their Lordships as well as he could:—"The Austrians have brought things to such a pass that they must be either masters of Italy, or Italy must be free to the Adriatic." Now, he did not quarrel with those words, though he did not understand them—that was of no consequence—but he ardently hoped that they were well understood by Her Majesty's Government. He was not about to extenuate the transgressions of Austria, but it was proper that we should know what might arise out of the punishment of those transgressions if France were to administer the punishment. The phrase which he had quoted might mean a little, or it might mean a great deal, according to the method adopted in working it out; but it was most important that that meaning should be known to the Government, and should be made known through them to the people of England. Did it mean that Lombardy and the territory up to the Adriatic was to be subjected to an Italian domination, existing in some Italian head, or as a part of some prevalent theory? He had no objection whatever to that—he wished it might be the case with all his heart—but he was sure it would be a matter somewhat difficult of execution, for when we have seen how the Constitutional System in Piedmont, that country which was to serve as a model to all the Peninsula, with the Liberty of the Press and everything belonging to a free country took flight—*tenues secessit in auras*—before the first explosion of a cannon, we are, in truth, not bound to place much faith in any enduring fabric of constitutional Liberty in Italy. Again, did it mean that France was to obtain a supremacy over those provinces by some new-fangled Confederation like the Confederation of the Rhine? Perhaps in these times such a scheme would not be very feasible. Was Piedmont, guided by the finger and supported by the arm of France, to obtain supremacy by a summary process of annexation, like the annexation of Massa and Carrara, respecting which he trusted the Government would furnish some information. No person in the House or out of it more sincerely wished for the freedom of Italy to her natural frontiers than he, but he did not wish to see a mere exchange of a new bad domination for an old bad domination, by the mere process of putting on new varnish and rubbing off the old. Strange things were going on at that moment. A foreign potentate had gone into Italy with the liberation of that country inscribed on his banner, and on his arrival there revolutions took place in some parts of that country, whilst in another part of Italy, and certainly the most interesting part—a part where, from all that had been written, from all that he had heard, and indeed from all that he had himself seen, the evils of bad domination were more grievous than in those provinces which were undergoing this so-called process of liberation, or regeneration, or whatever else it might be called—the same potentate had actually increased his force in order to prevent an expression of opinion consonant with what had taken place in other parts, and cognate to his own declaration that he had come to deliver Italy. This was a very difficult and delicate matter to touch upon, and, therefore, he would not dilate longer upon it. All he wished, in common with many of their Lordships, was to have a plain explanation of an ambiguous phrase. It might be that this phrase was only put into the document because it looked well to the eye and sounded well to the ear, which was a reason for many things that are done on the other side of the water; but after the efforts which had been made by the Government—efforts which might have been better directed, but which he believed had been honestly made—he thought he had a perfect right to know what that phrase in the proclamation meant; for if this expulsion of the Austrians from Italy was to be carried out by Piedmont, that could only be done by the assistance of a Power who was more likely to make Piedmont a department of the French Empire, what a great part of her had been before, the department du Mont Blanc, than to treat Piedmont as an independent state. With regard to the declarations in favour of peace, he confessed he never had any confidence in them. He would not have believed them if they had been made to his Friends on that (the Opposition) side of the House, for he had a firm conviction that if it suited the ends and calculations of the Emperor of the French to enter upon war, war they would have sooner or later—perhaps after a little illusory negotiation into which he might think it decent to enter. There was another point to which he would refer. About six weeks ago a noble Lord, a Member of this House, denied in the most formal way the existence of a Russian—what should he call it?—alliance, understanding, prospective convention, or whatever it was with France. It was also denied, but in a much less formal and precise way, by a Member of the other House of Parliament, both being officially connected with the Government. Now, he wished to ask the Government whether they were ready to make the same denial now?—for he had great reason to believe that for the last three weeks there had been something like an exchange of communications and consultations going on on this subject which might or might not have come to the knowledge of Her Majesty's Government. As to the phrase of Prince Gortschakoff that something did exist, but that that something was not hostile to the interests of England, he would remark that it would be much more satisfactory to them and the country if they were allowed themselves to judge of what was good or bad for the interests of England, for persons on all sides and in every part of the country might not be of the same opinion on that subject as Count Cavour, Prince Gortschakoff, and the Emperor of the French. Before sitting down he would take the liberty of giving a piece of advice to the noble Earl at the head of the Foreign Department, whom he acquitted of any premeditated intention in doing an unseemly act, or of advisedly sending abroad calumnious assertions, and ask him for his own sake, as well as for the sake of others, when he spoke of this wanton and wicked war, to abstain from alluding to the supposed expectations and adumbrated intrigues of exiled Princes, whose virtues and misfortunes ought to place them beyond the reach of such insinuations, whose position was as difficult as it was painful, but whose conduct, ever since they had been in this country in exile, had gained for them the respect of all, from the august Lady on the Throne of this land to the humblest cottagers on the banks of the Thames.

THE MARQUESS of NORMANBY said, he had taken no part in the discussions of this House since he had held a diplomatic appointment in Italy, and he had thought that his Parliamentary career was completely closed. Though, however, for reasons into which he need not enter, it would have been more agreeable to his feelings to have remained silent, he could not help addressing a few remarks to their Lordships on this occasion. In the speeches of his noble Friends (Earl Granville and the Earl of Malmesbury) there had necessarily been much reserve as to the state of things on the Continent, a reserve called for by the actual official position of one and the possible official position of the other; but he (the Marquess of Normanby) had no such reason for withholding a free expression of his opinions, though he might be restrained by a sense of what was due to the interests of the country. His noble Friend (Earl Granville) had stated to the House his reasons for not moving an Amendment to the address. Now having listened attentively to his noble friend he (the Marquess of Normanby) must say he thought the explanation unnecessary; for among all the points to which this noble Friend had alluded he had failed to perceive one on which it would be possible to substantiate a charge against Her Majesty's Ministers. On the subject of the late dissolution it was not his intention to trouble the House; but he was much surprised that any of his political friends should, in that act of the Government, find a justification for a constitutional attack on Her Majesty's Ministers. Indeed, from information which had reached him in another country, he believed that that dissolution had been forced on the Government. He thought it must be obvious that, after what had taken place in "another place" the noble Earl opposite had no other alternative than to dissolve. The noble Lord the member for London could not be blamed for having moved an Amendment on the second reading of the Reform Bill; and his Resolution having been carried, Her Majesty's Ministers could not be blamed for having appealed to the country. In 1841 he was the only member of Lord Melbourne's Administration who opposed a dissolution. Why did he do so? Because he did not think that there was any reasonable expectation of the Government of the day obtaining a majority by means of the dissolution, and because the divisions on which the Government had been defeated were divisions taken in their own Parliament. Lord Melbourne agreed in his opinion to a great extent, but he was not able to resist the majority of his Cabinet and the dissolution took place; but Lord Melbourne's Government were never accused of anything unconstitutional in doing so, and he should have been very much surprised if any Amendment had been moved on the present occasion, on the ground that there was any constitutional objection to the late dissolution. Again, he did not think it was sufficient ground of attack for any party to say to the existing Government, "You are in a minority in the House of Commons," unless that they could at the same time show that there was some section of politicians known to the country which was, without a compromise of those principles on which it had hitherto acted, prepared to conduct the affairs of the Empire. It was with that view he should be obliged to object to what seemed to be the line of policy adopted elsewhere by gentlemen for many of whom he had the highest personal respect. Having said so much on that subject, he should now observe that it would be very important to this country to know whether in respect of recent negotiations with foreign Powers we had been deceived or not. He believed that we had been deceived. We were told that France was not preparing for war, was not armed at all, but was merely taking measures to supply the deficiencies caused by the late war with Russia. Now, that having been told to us, we could not have expected to find that in, he might say, a few hours, large masses of troops, some of whom were on the African service, had been collected within a short distance of the Italian frontier. They were informed, moreover, that the deliberations of the proposed Congress, were to be conducted with due respect for the treaties of 1815, and yet—here he spoke from personal knowledge—the very next day after the arrival of the French Fleet at Genoa a conspiracy, which had been hatched under the protection of the diplomatic flag of Sardinia, broke out in Florence, and the Sovereign of the country, who held his Crown under the sanction of those treaties, and who only desired to maintain the neutrality to which he was bound by treaty, was expelled from his capital. Similar attempts, but without success, in Modena and Parma, followed the landing of the French in Italy; and subsequently a French Prince, with a *corps d'armée*, arrived in the port of Leghorn, and issued a proclamation. Some excuse for this visit was necessary; and what was the cause assigned by Prince Napoleon for his extraordinary expedition? He was sent to Leghorn, he said in his proclamation, for purely strategical purposes; but any military officer could tell him that the only strategical object which his presence in Tuscany could serve was to keep him as far as possible from the seat of war. But if his expedition had no real strategical object, it might have an important dynastic and political object. We had heard of a secret understanding with Russia, and he had heard, that though not in the same terms, that understanding was founded on the treaty of Tilsit, one of the clauses of which declared that the Mediterranean should become open only to the Powers bordering upon that sea; that clause, if carried into effect, would gravely affect British interests, for its execution would begin with the expulsion of the English from Malta, Gibraltar and the Ionian Islands. Had any progress been made in the realization of that project? He need only mention the acquisition of Villafranca by Russia, and the fact that not only was the port of Genoa at present in the hands of the French, but that French officials had taken a lease of some buildings for three or four years. The French also held Civita Vecchia, another step in advance. Their Lordships knew that before the death of the late King of Naples a dispute arose between certain members of the Royal Family as to the succession to the throne. At that time the Grand Duke Constantine happened to be in Naples, and he was applied to for support by the Duke of Calabria and his party. The Grand Duke answered, as he was informed, "We are always for legitimate succession, and therefore we will support you; but, remember, what we most want is a port in the Adriatic." Such was another step towards the monopoly of the Mediterranean contemplated by the Treaty of Tilsit. Nor was that all. Venice was blockaded by a French fleet, and Trieste was and would continue to be treated in the same way. England, therefore, ought to be upon her guard, and while preserving a strict neutrality ought to show no sympathy with the purposes or persons implicated in the transactions to which he had referred. The noble Lord the Member for Tiverton, at a private meeting of his party, had expressed his earnest sympathy with the Italians, and upon the occasion of his election he used these words, "I trust before the end of the campaign Austria will be expelled from Lombardy." Yet the noble Lord must know that in every one of the proclamations recently issued by the French the words "Italian freedom" were omitted. It was true that "Italian Independence" still remained; but the independence referred to meant the result of assistance given by a great Power which Europe had formerly endeavoured to exclude from the soil of Italy. This speaking lightly of the treaties of 1815 came with a singular ill-grace from the noble Lord the Member for Tiverton, who of all living statesmen in England was the only one who had art and part in their formation. Some of the provisions of those treaties might at first have been rather strained and arbitrarily applied; but the Government of this country had always held itself bound and pledged to their stipulations, and the noble Viscount to whom he had referred had been many years in office while they were in force. In speaking, however, in the way he had done he was speaking against his own personal sympathies. He had had much more personal connection, in his diplomatic career, with France and Italy than with any other part of the world, and entertained the most agreeable recollections in reference to both. He had assisted (using the French sense of the word) at many painful scenes incident to the change of Government in France, and he must always bear his grateful testimony to the manner in which the present ruler of that country had received him while discharging his official functions as British Ambassador. He had taken a different view of some questions from that entertained by that illustrious Prince—as it was natural that an Englishman should — and he had always fully avowed that difference of opinion, and yet he was bound to say that that circumstance had not caused the slightest change in the nature of their intercourse. His (the Marquess of Normanby's) conduct of affairs at Florence had also convinced the Tuscans that he had the interests of Italy at heart. But the question arose, how had all this complication of affairs in Europe come upon us in the year 1859? and why was it that arrangements which had lasted during the entire existence of many of us should at length, under the encouragement received from an illustrious Ally, have become intolerable to the Italians? He recollected the first attempt at revolution in 1821. He had resided in Italy two years before that, and he was aware of all the springs which moved that enterprise. He was also residing at Milan in 1830; and he must say the circumstances which attended the outbreak which then occurred there had greatly damped his expectations of any advantage being derived to Italy from the exertions of the Italians themselves. In the month of March or the beginning of April, 1848, Marshal Radetzky was driven out of Milan by an insurrection, and King Charles Albert was proclaimed, the proclamation being ratified by a *soi-disant* popular election. Yet King Charles Albert was soon afterwards driven from the town of Milan, and hooted by the very population which had supported him. In the present case, then, England ought to be careful how it showed the sympathy which we must all be supposed to feel for a patriotic cause unless we were convinced that the contest was really the result of a patriotic movement, and was not part of a great scheme of personal ambition from which the rest of Europe might suffer. In certain publications which were conducted with great talent in this country, it was stated that no proof had been given that all the present complication arose from the aggressive proceedings on the part of Sardinia during the last few years. He could give some examples to show that the accusation against Sardinia was not entirely without foundation. When Sardinia joined in the war in the Crimea the question naturally occurred to everybody, except those who were glad of her assistance, what could her object be? The war in the Crimea was not a war of nationality, or a war of sentiment. If anything, it was rather a war for the balance of power, and for objects purely political. There was no freedom to be conferred upon any one. Still Sardinia joined the western Powers and sent a large contingent to the war, and was accordingly admitted to the Congress of Paris. At that Congress she made a proposition which, to a certain extent, was listened to in a manner which rather surprised him. But it was also transmitted to Italy by the French Government, and became the subject of discussion among all those best acquainted with the state of Romagna. In the month of June, 1856, while this proposition was the subject of debate in the Sardinian Chamber, the Marquis Massimo d'Azeglio, a very eminent authority on such a question, said that Count Cavour, while professing to establish order and concord, was sowing the seeds of discord and rivalry; and he advised that statesman not to be in a hurry to do anything, pointing out that he would probably only provoke bloodshed and premature revolution, and throw back for years all chances of practical improvement. The same wise counsellor advised Count Cavour not to disturb the action of time, but to let it do its work. This was sensible and wise advice. But the conduct of Sardinia to the neighbouring Duchies was systematically irritating. An extradition treaty existed between Modena and Sardinia; but three priests, who were Modenese subjects, having been murdered in the Sardinian territories, and the Duke of Modena, having applied for the extradition of the assassins, the request was refused. A second application met with a similar refusal, and the Duke of Modena, in complaining of the non-execution of the treaty, said, "This is the first time I ever heard assassination is not murder when it is connected with treason." He mentioned this fact, in consequence of statements which had been published in this country, to show the constant provocation on the part of Sardinia, and because as Austria had been so strongly condemned these facts would go to show to some extent that she had not acted without provocation. He could state from his own personal knowledge what was the nature of the popularity of the Piedmontese Government, which has been cited as a model Government. At the period of the last elections in Sardinia he was in company with a number of Piedmontese subjects, of different political opinions, and in conversation on the political progress of the Sardinian Government, one of these gentlemen said,—"If you put on one side all the Sardinian Government have done that they ought to have left undone, and on the other side all they have not done that they ought to have done, you will find a very trifling balance on the one side or the other." Within the last few days a suggestion has been made for the transfer of the Duchies of Parma and Modena to the kingdom of Sardinia; but did their Lordships believe that the happy and contented population of those duchies would be ready to acquiesce in such an arrangement? Probably their Lordships might not be aware of the different rate of taxation in those States. While the taxation of Sardinia was nearly 55 per cent the taxation of the Duchy of Parma was only 8 per cent, and that of Modena was still less. In Piedmont, too, the taxes were levied in the most arbitrary manner, and the personal freedom of a man's saying what he liked was unknown there. In the course of last winter some strong opinions against the marriage of an illustrious member of the Royal family of Sardinia were expressed by the members of a club which was composed of persons of high position. These opinions came to the knowledge of Count Cavour, who threatened to close the club if such language was any longer held by its members. He thought, then, that there were a great many facts to be examined before they could decide on the expediency of altering the settled Governments of Italy. Immediately after the expressions used by the Emperor of the French at the beginning of the year, and the speech of the King of Sardinia at the opening of the Piedmontese Chambers, meetings of the party called "Constitutionalists" or "Piedmontese," began to be held at the house of the Sardinian Minister in Tuscany, and a set of pamphlets were circulated among the subjects of the Grand Duke by the persons attending these meetings, which did not do justice to the intellectual vigour of the Italians, for although treasonable enough, they were remarkably feeble. Then, when the King of Sardinia raised a loan, money in profusion was sent into Tuscany to encourage the enrolment of volunteers, and their Lordships had no conception of the intrigue and corruption which were practised in endeavouring to induce the Tuscan troops to enter the service of Sardinia. On the evening of the 26th of April, when it was known that the French fleet with troops on board had appeared off Genoa, about 15,000 people, not one of whom was decently clad, wandered about the streets of Florence uttering seditious cries and overawing the respectable inhabitants. He had heard it imputed to the Grand Duke that he gave orders for the bombardment of Florence, and knowing how inconsistent it was with the character of the Grand Duke, and with the facts themselves, he felt it to be his duty to give a complete and authentic denial to that statement. He was informed by the hereditary Grand Duke that not only was no such order ever given, but none had ever been meditated. The whole story arose from the fact that when the safety of the ducal family was threatened, they retired into the palace of the Belvidere, and gave orders to have the gates closed against the mob. He had also heard various accounts of the disposition of the Tuscan troops in favour of the Government of Piedmont; but in fact it was so unfavourable that he had heard that the men had mutinied, and that the Piedmontese had threatened them with decimation. Those troops owed allegiance to the Grand Duke; they were deluded by false promises, but they afterwards regretted their conduct, and then it was the threat of decimation was held out. He had also seen the Duchess of Parma during her temporary withdrawal from her territory; but the measures taken during her absence had been such as to lead to her return to a country where she had since her husband's death exercised the Government in a satisfactory manner. At the present moment it would be well to bear in mind the opinion entertained by the Emperor Napoleon I. of the Italians—although he (the Marquess of Normanby) did not concur in that opinion. In the Memoirs of Prince Eugene Beauharnais, recently published in Paris, of course by permission, there was a letter from Napoleon I., in which he said of the Italians, "Do not let them forget I am master. Italians will only obey the voice of a master, and will esteem you in proportion as they fear you. Your system must be simple—*l'Empereur le veut*—and you must never depart from it." He hoped this country would evince a firm determinatiom at the proper time to resist any scheme for universal dominion. He hoped, too, the Government would not overlook the spirit of Germany, which, from his personal knowledge, he could declare was completely unanimous. Any attempt at divided sympathies might lose us the friendship and esteem of the whole of Germany. It was boasted at Paris that within three weeks they would have Lord Palmerston at the head of the English Government, and that England would then enter into their policy; but certainly, looking at the last transactions of the noble Lord with regard to the external policy of France, he did not think the noble Lord was the proper person to be at the head of the English Government at this moment. The *coup d'état* was *un fait accompli.* The people of France acquiesced in the rule of their Emperor, and we had nothing to do with it. But at this conjuncture we ought not to have, as the Minister of England, a statesman who had given express approbation to that act. As to the question asked by the noble Seconder of the Address, how the Queen's Government was to be carried on, they had heard much of a certain combination of parties, and therefore it must not be forgotten that the first subject which would occupy a new Administration would be Reform, and with it the ballot. He honoured and respected opinions, whatever they might be; but he said that whenever a majority of the Cabinet gave their consent to that proposition a great blow would be struck at the manliness of the British character. He believed that the ballot became of much greater consequence as the external dangers of the country multiplied, and that no nation who had not honesty and courage enough to express their opinions without being sheltered behind a ballot-box would ever make those efforts which might be required in times of urgent difficulty. He had long felt that his political career was over, and therefore his opinion signified very little; but he thought it would be a disadvantage to displace the Government until those who would succeed to power had shown more unity of purpose. He did not wish to see as Prime Minister a statesman who had declared that Austria must be driven out of Lombardy. He did not entirely approve of Austrian government, and he could show from despatches that he was far from doing so. The Austrians had not the art to make the worse appear the better cause, and sometimes they unfortunately made the better appear the worse. But he thought it was a country which we could trust, and he entirely agreed with the noble Earl (the Earl of Ellenborough), who, when he spoke at Cheltenham the other day, said it was a country from which we had received great services. Therefore he said, "Keep out of the war, and do not place at the head of the Government a Minister who has expressed sentiments inimical to rights we have ourselves, by treaty, conferred." At such a crisis as this, both in our internal affairs and in our external relations, he should wish to be assured of the means of carrying on the Government before he could consent to turn out the Ministers now in office; and, looking at the persons who were proposed to succeed them, if it were put to the vote, he, for one, should give his vote in favour of Her Majesty's present Government.

The Earl of CARLISLE said, he did not rise with any intention of entering upon the wide field of general topics which a debate upon the Address must always lay open to discussion, and that extensive ground had already been eloquently and satisfactorily travelled over by his noble relative (Earl Granville). The general question of foreign affairs and of our foreign policy must be without doubt the most interesting and important of any that could now stimulate public attention. He so entirely concurred in the policy announced in the Speech from the Throne, and in the opinion which was generally, he might say unanimously, entertained by all the leading statesmen of this country, including Lord Palmerston, that we should observe a strict neutrality, that it would be quite superfluous for him to address their Lordships on that subject. But he might be permitted to say that he felt sure that Lord Palmerston admitted as fully as any man, and would maintain, the policy and the duty of keeping this country aloof, under every possible circumstance which did not affect its honour, from what had been so well described as the wanton, wicked, and bloody war that was now desolating the fairest regions of Europe. The impartiality of the noble Marquess who had just sat down could not be admitted when he hinted that Lord Palmerston would not be actuated by impartiality in his feelings or conduct towards the belligerent Powers. There was a real and honest determination on the part of the leading men of all parties in this country to keep us to the strict letter of neutrality; and it would be wholly superfluous for him to add any words of his to that general declaration. He would allude to one matter connected with the issue of the late general election and the present position of political parties, which assumed a particular interest to him, on account of his having been more than once closely connected with the affairs of Ireland. He was specially induced to do so by some expression which had dropped from the noble Seconder of the Address, who spoke with an ability and candour which every one must have recognized, and with a special courtesy which beyond all men he (the Earl of Carlisle) must appreciate. He did not wish to cast the smallest imputation on the Executive Government of Ireland, still less upon the accomplished nobleman who had succeeded him in the office of Lord Lieutenant; but in the course of the late elections he (Lord Carlisle) could not help observing, for the first time—certainly for the first time to the same extent—an approximation to cooperation—and, he might almost say, to a coalition—between those who held extreme Protestant and Roman Catholic opinions. The noble Earl opposite (the Earl of Derby) having appealed to the country in order to ascertain whether the Government which he had once headed and adorned, still possessed the public confidence, must have been gratified to find that his continuance in office was made the rallying cry alike of Protestant Enniskillen and Roman Catholic Waterford. At first sight this might appear to be a triumphant testimony to the fairness and impartiality of the conduct of Her Majesty's present advisers. For his own part, however, having during the whole of his public life been connected with that party which was identified with the support of the Roman Catholic claims, and having made his first speech in Parliament on a Motion, the object of which was to give effect to those claims, he felt in no respect disheartened or rebuked by the unwonted junction which had recently been exhibited in Ireland. If he could suppose the Roman Catholic Church either dominant or jointly established with some other Church in this country, he could imagine that in such a case the Roman Catholic priesthood and the members of that faith would be found allied with the Tory, Conservative, stationary, and anti-progressive party—call it what they might—as they were allied to that party in all the old-established Roman Catholic Governments of Europe. But so long as the English or Irish Roman Catholic Church was sustained by the voluntary support of its own members, and so long as it saw placed above it another Church in the enjoyment of the ostensible favour and temporal endowments of the State, so long—or at least so long as no complication arose, abroad rather than at home, to disturb the ordinary course of events—so long, he felt persuaded, the great bulk of that Church—and the remark applied to the laity, perhaps, more than the clergy—would find their natural place amongst that party which at all times, and under all circumstances—when their friendship did not contribute to the attainment of power, but rather to popular and royal alienation, and to long exclusion from office—maintained the great principle that religious opinions ought not to be a bar to the enjoyment of civil rights or privileges. To that principle the party to which he (the Earl of Carlisle) belonged had always adhered; whether with regard to the Roman Catholics or the Protestant Dissenters, the Quakers or the Jews; and although by fighting their battles they had exposed themselves to great obloquy, grievous misrepresentations and protracted proscription, it had invariably happened that in the end they found their principles adopted and their opponents becoming their most faithful imitators.

The Earl of EGLINTON said, he had no intention of taking part in the discussion of that evening until he heard the observations which had fallen from the noble Earl who had just spoken (the Earl of Carlisle), and in reply to which he felt called upon to address a few observations to the House. He had, he was ready to admit, read in the public journals, in common with all their Lordships, the statement that some unholy compact existed between himself, the members of the Executive Government in Ireland, and Cardinal Wiseman and the Roman Catholic party generally. It gave him great pleasure to hear that repeated in their Lordships' House in a tangible form, inasmuch as he was thereby afforded an opportunity of giving to it at once, in the most emphatic terms in which he could express himself, a distinct denial. He had then no hesitation in asserting that there had not been on his own part, or on the part of any Member of the Executive Government in Ireland, the slightest compact, arrangement, or understanding expressed or implied, or of any sort or any kind whatsoever. Nay, more, he had never had the slightest communication, either directly or indirectly, with any Roman Catholic either before, during, or after the general elections, on the subject of the noble Earl's remarks. He had, indeed, heard it stated as a proof that a compact had been entered into between himself and Cardinal Wiseman, that he had attended a Roman Catholic bazaar, and had spent a few pounds in aid of the funds of the charity which it had been set on foot to promote. Now, he would appeal to his noble Friend the late Foreign Secretary, to the noble Earl who had just spoken, and to another noble Lord whom he did not see in his place at that moment, to say, whether during the period of their stay in Ireland they had not all attended the bazaar to which he referred in aid of the funds of the Society of St. Vincent de Paul? When he went to Ireland in 1852 he was informed that that society was one of a dangerous and proselytizing description, and was pressed not to attend it. He, however, investigated the matter, and found that the society was not one which had been set on foot for proselytizing purposes, but was devoted to the indiscriminate relief of both Protestants and Roman Catholics, and he, therefore, attended the bazaar in 1852 and in 1858, as well as in the course of the present year. If such attendance were proof of a compact between him and Cardinal Wiseman that proof existed in 1852 as well as in 1859. The subject, however, was one on which it would be ridiculous any longer to waste their Lordships' time. He went to Ireland to govern not a party, but a country, and while he was determined to uphold the Protestant religion in all its integrity, he should not, at the same time, be deterred from the performance of acts of social courtesy or charity, either by the bigotry of one religious sect or the taunts of another.

Lord BROUGHAM said, it appeared to him that the Speech from the Throne had been framed in strict accordance with the maxim which said, "Look at everything and touch nothing." Nor was there anything in the speech of the noble Seconder of the Address, able and distinguished as it was, which tended to throw much light upon the topics with which the Royal Message dealt. The speech of his noble Friend was, it was true, not a little marked by pugnacity towards his (Lord Brougham's) noble Friends near him; but he should remind the noble Lord that those who lived in glass houses or conservatories should not throw stones. But passing over the speech of his noble Friend, he should invite their Lordships' attention to the most serious subject by which it could be occupied—he alluded to the war which was now unhappily raging on the Continent, and the cruel slaughter which was there being perpetrated, without the shadow of a pretence—he ought not, perhaps, to say without the shadow of a pretence, for the contest had been entered into under the false pretence—a fact which rendered it still more odious—of favouring the cause of Italian liberty. He knew he might be chid by those who called themselves the champions of national independence; but for his own part, he did not wish to see national independence and the cause of liberty thus prostituted. And how was this war viewed by our neighbours on the other side of the Channel? At the outset they complained, and justly complained, of being plunged into this war; but when it was actually begun, the high spirit of Frenchmen, the gratification of their national pride, and (though this might seem a small matter) of their curiosity, induced the multitude to favour it for the present, though the best informed remained as much opposed to it as ever. They complained of the manner in which they had been drawn into this war, and traced it to the abandonment of free institutions and the adoption of an arbitrary form of government. They supposed it to have been engaged in partly from personal motives, partly from family speculation, partly from alliances gratifying to family pride,

> "Scilicet, ut Turno contingat regia conjux,
> Nos, animæ viles, inhumata infletaque turba,
> Sternamur campis."

And they thought that if they had retained their free constitution and liberty of discussion they would not have been exposed to the sufferings in store for them. It might be that a free constitution would have restrained the French rulers from such rash proceedings; but in Piedmont we saw a country which, to the great glory of its statesmen and princes, had established a constitutional Government, shaking off the trammels of Rome as well as absolute Government at home, and yet it was to that country we must look for the origin of the war. The original domicil of the war was not France but Sardinia. It was the maxim of a great Roman lawyer and judge that when he saw any great crime committed the test he applied in order to discover the offender was, *cui bono?*—who profited by it? Now, to this greatest of all crimes—war—he applied the test of Cassius, and asked who was to profit by it? Sardinia. France would be no gainer; at least, he thought not. He well knew that promises and professions from high quarters cost little, so that men were apt to take them at what they cost. It was not, therefore, because he really trusted these professions and promises, but because he thought there were so many overruling reasons why France could get nothing by the war, that he believed France would not attempt to take anything by it. With regard to the rulers of France he disapproved the bandying about of such epithets as "false, fraudulent, tyrannical," which were sometimes used in this country; because, in the first place they might be quite unjust, and also because he was sure they were very impolitic. It was commonly said of a woman who kept in the right path rather from regard to public estimation than from any high principle, that if you gave her a bad name it was odds but she earned it. Now, he could not help saying the same of the personages to whom he was alluding, who, if called by such epithets, might very likely so conduct themselves as to deserve them. But a word as to the object of the war, which was said to be the liberation of Italy and the establishment of Italian nationalty. Did anybody believe for one moment that it was really undertaken for the purpose of driving out Austria because Austria had maltreated her Italian subjects? For himself no man was more desirous of seeing Austria removed from Italy, and the Italian States working out their own independence; but he did not want to see them transferred from one master to another. He did not wish to see them transferred to Piedmont under the pretence that Piedmont was Italian, and that by giving Lombardy and Venice to Piedmont you would be freeing a great portion of Italy. As well might it be said that if you gave certain of the small German Principalities to Prussia or Austria you would aid the cause of German freedom or nationality. In point of fact it would be simply pillage, it would be taking the property of one Power to give to another, and more hateful even than the act itself would be the false pretence that you were doing this in the name of Liberty. For ages past Lombardy had been in the possession of Austria, and since 1815 it had, together with Venice, been guaranteed to her by treaty. He had been reminded of the part which he had taken in this question in 1815. But in 1817, too, he had attacked Lord Castlereagh, and the front of his attack was that that Minister had abandoned the principle, the policy, and the pledges of this country by giving up the free Republic of Genoa to the Monarch of Sardinia. Sardinia had now the same right to Genoa that Austria had to the Venetian part of her Italian possessions, and both dated from the same period. Had he ever dreamed of attacking that title at a later time? He made the charge two years after the event, but now the circumstances were materially different. Forty years had elapsed, and when there had been such long possession, the soundest principle of foreign policy and of international law was not to scrutinize too nicely the question of title. He would take an instance. There was no crime in the history of nations more outrageous than the partition of Poland, and yet nobody thought of interfering with that arrangement, although its prescription was only twenty years longer than that by which the Venetian territory was held by Austria and Genoa by Sardinia. Austria, he admitted, was greatly to blame in many respects, but principally for the encroachments she had made since 1815. She had made treaties with small independent States, by which they had allowed themselves to be absorbed in their more powerful neighbour; and the other Powers had a right to object to those treaties notwithstanding the assent by which the absorption took place. If there had been a Congress he believed that Austria might have been persuaded to abandon the undue influence which she had thus acquired since 1815; and he could not help hoping that in the course of the negotiations which might arise at any moment a recurrence might be had to the proposition made by Prince Metternich many years ago, to give up Lombardy, not to Piedmont, but to an Austrian prince, converting it into a separate State. If that were done, a great good would be accomplished, and he thought that Austria herself would be relieved from a grievous burden. There was one point which filled him with considerable alarm. A succession of brilliant victories might encourage the French army—for he had much less apprehension of the Emperor than of his soldiers—to undertake expeditions of a still more reprehensible character than the present. He believed that the army would force him onwards much further than he was disposed to go, and therefore he must confess he viewed its progress with considerable alarm. He did not counsel any distrust, for the Emperor had been throughout our faithful ally, and we had no reason to expect him to be otherwise now. Considering, however, his position, with a vast army eager to distinguish itself, and without the check of a free Parliament or a free press, and a free expression of public opinion, while we ought not to be mistrustful or suspicious we ought to be upon our guard. Nothing could be more clear than the absolute necessity of largely increasing our navy, and he earnestly trusted that the measures which had been taken to increase the number of our seamen and to improve their quality might be completely successful. We should then be safe in all possible contingencies. He hoped also that facilities might be given—stimulus was not required—to the formation of volunteer corps. He did not advocate a general arming of the people, nor had he any desire to do away with the distinction which existed between an English mob and a French mob, between a mob of simple citizens and a mob one-half of whom had served in the army; but he thought that if the proper arrangements were made and proper qualifications secured, a vast number of rifle corps might be established throughout the country, and he believed that very great advantage would accrue from them. But there was another thing wanted. We wanted a strong Government—a Government capable of inspiring awe and wielding the influence of England with vigour and effect. Any supporter of the present Government who reckoned upon the division of their adversaries might say as the Roman patriot did on the decline of the empire—"Maneat quæso duretque gentibus, si non amor nostri, at certe odium sui; quando lubentibus tandem imperii fatis non nisi hostium discordia servabimur." But he wished Ministers to be strong from their own intrinsic strength. If he turned to his noble friends behind him exactly the same difficulty occurred. Suppose anything were to cause a change of Government, and they were in office, then the discord would be intramural; at all events, the Government would be feeble, however it might be formed, if composed of one party, or of a combination of small parties. Was it wholly impossible, in the greatest peril perhaps that England had ever encountered, and in the greatest opportunity that a strong and united Government could have for giving peace to the world, that there should be a general combination of the heads of all parties to form a stable and powerful Administration? He recollected the magnanimity which was shown by the statesmen of 1804, when danger arose from the successes of the French armies and the Continent. Fox, Pitt, Wyndham, Grenville, and Grey, were all ready to sacrifice their personal, private, and party feelings, and to co-operate in forming a real, solid, and substantial Government. In 1792, Mr. Fox was most anxious for a coalition with Mr. Pitt on account of the dangers of the then threatening war. But in 1804 the clouds had thickened, the danger was nearer, the urgency of the case greater, and he was still more determined and more anxious to make sacrifices. When the objection of the King to Mr. Fox put an end to the hopes of a coalition, and Mr. Pitt came into power, the expression of the latter to his friends was, "Fox has behaved like an angel." He had magnanimously offered even to undertake an embassy at a foreign Court until the King's prejudices were removed, so deep was his sense of the gravity of the crisis. We might not aspire to imitate the genius of those great men of past times, but we could at least look to the example they had set us of virtue—of that political selfdenial which the present conjuncture imperiously demanded. There was this difference between the crisis of 1792 and the present, that at this time no question had arisen of conducting a war. The question was as to conducting a negotiation; and for this purpose a Government such as he had described, combining in its ranks the greatest statesmen of the day, would frown down all resistance, and carry with it the support of all parties in both Houses of Parliament.

The Earl of ELLENBOROUGH: My Lords, I so entirely agree with what has fallen from my noble and learned Friend, that I cannot refrain from expressing the concurrence of my sentiments with his. I had wished at an early period in this debate to say what has just been said by him with so much more weight. It is a matter of general agreement, that during the dangers which may result to this country from the continuance of this war, we should take the very first opportunity of interposing with our friendly offices for the restoration of peace. My Lords, I hold that our intervention with any prospect of success is utterly without hope, unless we first make ourselves unattackable here at home, and also have such a naval and military force at our disposal as may enable us, in case of necessity, to interfere with effect. What we want besides that is a strong Government; and unless we first have a strong Government, I see not how we can prepare a naval and military force sufficient for our requirements. My Lords, Parliament was dissolved to give us a strong Government. I look to the Reports in the newspapers, and I find that the result is not that which was expected by Her Majesty's Ministers, and that they have not a majority in Parliament. The issue of the dissolution has been this:—it has to a great extent equalized the strength of parties, and by doing so it has thrown back the hopes of a strong Government. But, further, that Motion to be made in the House of Commons which was sketched by the noble Earl opposite who spoke early in this debate, and which I am informed has since been made, is of all measures the one most calculated to put an end to the chance of a strong Government, for it exasperates animosities. In what position then, my Lords, are we? On whichever side the victory falls, how is a strong Government to be formed? If Her Majesty's Ministers have a small majority, it may preserve them as a Ministry—not as a Government—for a short period; but what they require is a majority such as will give them the means of carrying on Government. The bringing together on one occasion of a sufficient number of Members to place them in a majority on a vote of confidence is of little or no effect for that purpose. On the other hand, if the Gentlemen on the Opposition side succeed in the division, how are they to form a strong Government? The present Ministry have depended hitherto, and no doubt justly, on the dissensions among their opponents. Their opponents, if they got into power, will have to do as they have done before—namely, rely upon the patriotism of those whom they have displaced to defend them against the attacks of those of their own friends of extreme opinions, whose principles they detest as much as any man on this side of the House, and yet of whose services they are compelled to avail themselves to effect their present object. But I must tell noble Lords on the other side that it will not always happen that there will be found in the House of Commons a Sir Robert Peel sufficiently generous to throw his shield over those who have ejected him from office; and it is almost too much for them to expect that if Mr. Disraeli is ejected from office with his 300 friends behind him, he will throw his ægis over them and enable them to conduct the Government. How, then, can we obtain a strong Government? I agree entirely with what the noble Earl on the other side said at the commencement of this discussion as to the evils of an attempt to govern with a minority. I know what those evils are, because I had once the misfortune of serving in a Ministry which had imposed upon it the duty of endeavouring to conduct the Government with a minority. The Administration of Sir Robert Peel met the House of Commons with a minority after the dissolution in 1834. If any man could have carried on the government with a minority it was Sir Robert Peel. I recollect well when he had to content himself with occasional majorities in his favour with a general majority against him; and he told us that from the first he had foreseen the impossibility of conducting the government of the country with a minority, and that he felt the mischief of continuing a struggle which was impairing the authority of the Crown. My Lords, I go further and say that even if a Government have a majority, but not a considerable majority, that, too, is productive of great disservice to the State. What would be its effect? The people look to their Ministers as gentlemen in whom they desire to place confidence, and whose duty it is to lay before Parliament the measures which they conscientiously approve. It is impossible that a weak Government can lay before Parliament the measures which they conscientiously approve. They are compelled to consider what measures nearest resembling those which they approve they can submit to Parliament with the hope of their acceptance by a majority. It is a continuance of something which approaches deception upon the people. The people believe them to be the measures of the Government. They cannot be their measures; they must bear at least as much of the impress of the mind of the Opposition as of the mind of the Government. This, my Lords, is a very great public misfortune. Before Sir Robert Peel decided on the dissolution to which I have referred, although he had the entire confidence of a great party, although he was supported by a very large body of persons throughout the country, although he had very good reasons for supposing that he might obtain a majority in the new Parliament, yet he thought it consistent with his duty, he thought it imperatively required from him, to endeavour to strengthen his Government by seeking the aid of gentlemen who had the confidence of other sections of the House of Commons. My noble Friend at the head of the Ministry knows that Sir Robert Peel was not successful in the appeal which he made; but the result of it, though it failed, was that he stood much better with the country than he would have done if he had not taken that course. I wish noble Lords, and hon. Gentlemen in the other House, would look back, as I have done, to the debates of the House of Commons in 1784 and to the history of that period. They will find that at that time a large body of gentlemen, nearly seventy in number, including most respectable and influential Members of the House of Commons, met at the St. Alban's Tavern, and there framed resolutions urging upon the leaders of both parties that they should abandon all personal and party feelings, and should combine for the general support of a strong Government of the country. A resolution to this effect, moved by the chairman of that meeting, was, though opposed by Mr. Pitt, adopted unanimously by the House of Commons, and ultimately both parties came to this conclusion — that the King should be advised to express an earnest desire that the Duke of Portland, who possessed the confidence of the Opposition, should have a personal interview with Mr. Pitt, with the object of forming an Administration on a wide basis upon fair and equal terms. Unfortunately upon that one word "equal" the whole negotiation fell through, and Mr. Fox did not return to office until Mr. Pitt had ceased to exist, twenty-two years after. But observe further—and I believe my noble and learned Friend (Lord Brougham) will bear me out in the statement—that at no period of their lives did either of these two great men think it inconsistent with his public duty or his private honour to unite for the support of the public interests. [Lord BROUGHAM: Hear, hear!] And I have reason to know that, in 1804, when Mr. Pitt succeeded to the Government, having, I have no doubt, without any personal communication cooperated with Mr. Fox in throwing out Mr. Addington, Mr. Fox was perfectly satisfied with the conduct of Mr. Pitt, and said that he had behaved honourably towards him. [Lord BROUGHAM: Hear, hear!] The difficulty was not with Mr. Pitt, but with the King. I hope, therefore, that noble Lords here, and hon. Gentlemen in the other House, will read the history of that period, and will derive instruction from it; and I do trust that in the midst of the dangers we are about to encounter—dangers I would not exaggerate, but which I feel deeply — no personal feeling whatever will deter any man from taking the position which his public duty points out to him.

THE DUKE OF ARGYLL: I am glad, my Lords, that the speech of the noble Earl, who has just sat down, has recalled our attention to Home affairs; for, when I rose a few minutes ago along with the noble Earl, it was for the purpose of respectfully expressing to the House a doubt whether the direction which the debate had been taking on foreign affairs was precisely such as was most conducive to the neutrality of England or the peace of Europe. The noble Earl has said that if we desire to preserve our neutrality, and to render it useful or effective, we must be armed. My Lords there is another condition equally necessary, and that is that we should preserve at least some appearance of impartiality of opinion. How is it possible that the position of England can really be accepted as neutral, or her influence in that capacity be exerted with success, if all those who speak in Parliament take so entirely, as noble Lords have done to-night, the side of one of the belligerents, to the prejudice of all that may justly and truly be said on the other side. I do not wish to prolong the discussion which has arisen on foreign affairs, but I am bound to say, since so much has been already said, that I think the noble Marquess near me (Marquess of Normanby) took, to say the least of it, a most exaggerated view of the fears and ssupicions which ought to be entertained by any reasonable man as regards the intentions and designs of the French Emperor. I do not deny that there are circumstances connected with this war which may justly give rise to watchfulness, and may justify some anxiety as to its results. But as regards the personal designs imputed so freely to the French Emperor, I know of nothing to justify them, unless it is such knowledge as we have of his character and conduct. True it is that the French Emperor, in respect to his assumption of power, did commit acts of which no Englishman can approve. But the noble Marquess has declared to-night, that as regards the *coup d'état*, he is willing to forget it, nor would he found upon it any imputation against the Emperor. Well, then, my Lords, I venture to affirm that since the *coup d'état* there has been nothing to justify the violent suspicions to which the noble Marquess has given expression. In all his conduct towards us in the late war, so far as that conduct is publicly known, and I am bound to add, so far as it is known to to me as a member of former Governments, the Emperor of the French has behaved with perfect loyalty and good faith. Yet that good faith was not untested by suspicion. I very well recollect hearing suspicions very much of the same character expressed during the Crimean war. It was said that the French army, once in possession of Constantinople, would not easily be persuaded to remove from it; and I will venture to add that if such suspicions had been uttered then as freely as they have been uttered to-night by distinguished men in Parliament, the most serious results might have arisen affecting the good understanding between the allies. If such language goes forth as expressing the feeling of the English Parliament or of the English Government, I do not see how we can hope to retain that influence which surely it is most desirable we should be in a position to exercise in mediation and the re-establishment of peace. It is, of course, impossible that there should not be among us some differences of individual feeling and of sympathy. But I do trust that noble Lords will see the necessity and the public duty of exercising, in respect to the expression of strong partisan opinions, some reasonable reserve.

And, my Lords, before I pass from this subject, I think I have a right to complain of the terms in which the noble Marquess near me has thought proper to refer to Lord Palmerston. He has spoken as if it would be the effect of Lord Palmerston's advent to power to involve this country in the war on the side of France; and he has quoted in this sense some foolish address of a French Prefet at Marseilles to the people or the army. What is the authority of a French Prefet on the opinions of Lord Palmerston? or what right has the noble Marquess to accuse Lord Palmerston of favouring a policy which he must know Lord Palmerston would himself utterly repudiate. So far as I know the opinions of Lord Palmerston they are in favour of this country maintaining a strict neutrality, a policy which cannot, I venture to say, be maintained with success if language such as the noble Marquess has used to-night is to characterize our Parliamentary debates.

But I pass from these matters to questions more legitimately before us. I admit that Her Majesty's Government have faithfully adhered to the practice which has of late years generally prevailed, namely, that of excluding from the Royal Speech and from the Address everything which should necessarily challenge the expression of an adverse opinion. This address is perfectly harmless. We might, almost as well as not, vote it in perfect silence, or only with such criticisms on language and construction as the noble Earl opposite (Earl of Derby) used to delight in, and which even the noble Earl at the head of the Foreign Office (Earl of Malmesbury) would admit to be a legitimate exercise in those arts and sciences which he considers so superfluous in his own department. But we must remember that this is not the opening of an ordinary Session. Why at this season of the year are we called on to answer a Royal Speech at all? Why was our late Session interrupted? Why are we now precluded from even considering that great question of domestic policy in which we might by this time have made material progress? These are questions which force themselves on our attention, and remind us that a serious difference arose between Her Majesty's Government and the late Parliament on which the present Parliament will be called on to decide; and although that decision can only be given decisively in "another place" it is legitimate for us to take our part in the discussion, and to canvass the conduct and policy of the Government. We are the more called upon to do so from the extraordinary version of that difference which has been given in a speech from the Throne at the close of the late Parliament. That speech, which I of course assume to be the speech of the Ministers, contained in no ambiguous language a distinct accusation against the late Parliament, that it had factiously impeded the due exercise of the royal functions in carrying on the government of the country. No more unjust accusation was ever made by any Government against any Parliament. I doubt whether, since the beginning of our Parliamentary history any Government has ever been treated so gently, so tenderly, as were the present Government by the Parliament which they dissolved. All their abortive measures were treated with forbearance; they were encouraged in the production of new and amended Bills, and their retreat was invariably covered from the victorious Opposition by the friendly feeling of a majority of the House of Commons. What is the proof the Government adduces in support of their charge against that Parliament. It is said that within little more than a year two successive Governments had failed to secure its confidence. It is not my business to defend the vote which overthrew the Government of Lord Palmerston, but the noble Lords opposite are the last men who are justified in referring to that vote as the result of a factious spirit. If that vote was factious, the factiousness was all their own. They joined in it, although they knew it would be fatal to a measure which the noble Earl opposite had himself—I will not say suggested—but thoroughly approved, but which when he succeeded to office immediately abandoned. Then, as regards the vote which immediately caused the late dissolution, instead of its affording any proof of a factious disposition, it was a signal proof of the large amount of support which that Parliament was willing to give to the Government almost irrespective of the merits of their measure. For it is notorious that if that vote had been taken strictly and alone on the merits of the Reform Bill, the majority against the Government would have been vastly greater than it was. Not a tittle of those who voted with the Government even professed to approve of their Bill. The real truth is, that the vote I refer to was carried in the House of Commons, because in spite of the friendly and tolerant spirit of the House towards the Government and in spite of the desire to see the question of reform settled if possible, the Government brought in a Bill marked by such objectionable features that its condemnation could not be evaded or avoided. And it is this which they have been so anxious to conceal from the country by raising a false issue and charging most unjustly the late Parliament with a factious spirit. To a great extent the Government has succeeded in evading the question on which they were condemned by the late Parliament. I have observed even in this debate some reluctance on the part of this House to entertain or discuss the question of reform. I have no wish to involve the House in a reform debate, but I trust the position of this House upon the question will be very different from that in which it was placed with reference to the last Reform Bill. Then resistance, mere resistance, was carried so far, that the only ultimate alternative was an abandonment of all opinion. But, my Lords, if we are to maintain our influence in the question, we must discuss its principles betimes, and the sooner we begin to consider them the better. The great complaint against Her Majesty's Government seems to me to be, not merely that they adopted as the basis of their Bill an erroneous principle, but far more that they have done all in their power to conceal that it was based upon, or involved any principle at all—nay, it has ever been a boast with them that they are committed to nothing, and have therefore contributed nothing to the settlement of the question.

The noble Lord who seconded the Address to-night, complained that the Bill of the Government had been opposed out of a jealousy on the Liberal side of the House that the Conservative party should deal with the subject at all. Now, my Lords, I am anxious to disclaim all sympathy with the language of those who have spoken as if the present Government had no right to deal with reform. It would be a great public evil if any question were considered the monopoly of any party. I deeply regretted the circumstances which seemed to render it imperative on the Government of Lord Palmerston to deal in the first instance with the Government of India. I do not say—for it would be ridiculous to do so—that if we had proceeded to the introduction of our Bill, we should have succeeded. But I do say that the Government of Lord Palmerston were in a better position for dealing successfully with the subject than any other Government had been. I admit, however, that the noble Earl opposite had also some advantages though of a different kind. Any measure he proposed was likely to receive the support of the Conservative party, and whether successful or not would indicate the principles on which they were prepared to act. The noble Lord who spoke second to-night, gave a very erroneous account of the distinctive principles of the Government Bill. Those which really distinguished it were simply these :—1st, a refusal to lower the borough franchise ; and 2nd, a determination to neutralize the popular effect of a reduction in the county franchise by these most ingenious expedients. I have reason to know that intimations were made to the noble Earl at the head of the Government in a not unfriendly spirit, that if these were abandoned there would not be any opposition to the second reading of their Bill. But these were considered by the noble Earl so essential that at the risk, indeed in spite of the certainty of defeat, he resolved to adhere to them. These, therefore, were the features of the Bill by which it was distinguished essentially from others, and gave it its party character. Every effort has been made by the Government to conceal from the country those principles of the Bill, and that upon these, and these alone, it was condemned in the late Parliament. The noble Earl in his last speech in the late Parliament, boasted that the vote which had been come to would not tend in the slightest degree to establish any principle on the question of reform. With great deference to the noble Earl I must dispute that assertion, for I feel sure that those distinctive features of his Bill to which I have referred will never again figure in another.

My Lords, I always hear with regret the language now so commonly held on the subject of reform. "Who cares," it is said, "for reform ? It is a question used by opposite parties to damage each other, or advance themselves—but it excites no popular feeling." I do not deny that this language is founded, to a certain extent, on facts. I admit there is no excitement on the subject in the country—nay, more, it is true that a very able man, doing his utmost to raise some excitement, has entirely failed. But what does all this amount to ? Why, to this—that all parties having now admitted the propriety of a large addition to the constituent body, the people are contented to leave the practical adjustment of the question, and the precise form which it may take, to the wisdom of Parliament and the discretion of their public men. Could there be conditions more favourable to action on this great question, beset as it is with many difficulties? Surely these are conditions which ought to stimulate us to immediate action, rather than encourage us in unnecessary delay. I fear there is too great confidence in many minds in the permanence of such conditions. I entreat those who feel such confidence to consider how precarious they are, and how soon and suddenly they may be changed. A few weeks' rain, or a few weeks' drought at a critical season of the year, the failure of a great staple in a distant country, a commercial panic, or one of those great popular convulsions abroad which have never failed to act powerfully on the temper and opinions of the people here—any of these may at any time alter the conditions now so favourable and on which we are now placing so light a value. The course which the Government has taken has in no degree tended to advance the question. It is their boast that they are bound to nothing either in principle or detail. The constitution was thrown as it were upon the hustings to be scrambled for without guidance or direction. My Lords, if the present favourable condition of the country is to be taken advantage of, some definite opinions must be expressed and maintained by our public men. I can hardly believe that after the course they have taken, this question will be left for decision in the hands of the present Government ; but if they should continue in office I can only express a sincere hope that the noble Earl may be able to mature another Bill, by which the Conservative party may be willing to abide. I do not feel sure that by doing so he will be able to save his Government, but he will at least do that, which I am sure he values more, he will have rendered an important service to his country.

THE MARQUESS OF NORMANBY rose to explain. The noble Duke who had just sat down had accused him of speaking with too much freedom on what he considered to be a most important subject ; but the noble Duke must recollect that he did so a sa private peer, who committed no one by what he said. The noble Duke had been been a Cabinet Minister, and might be a Cabinet Minister again. What he (the Marquess of Normanby) had stated had reference to a noble Lord who was at present endeavouring to storm the Government; and he said that he did consider the language of that noble Lord at Tiverton, when he expressed his desire that the result of the present operations in Italy would be the expulsion of Austria from that country, contrary to a treaty which had existed now nearly 50 years—he considered such language to be a disqualification at this moment in any one who sought to be Prime Minister. It was necessary, as had been said, not only that we should be impartial, but should appear so. He did not say that Lord Palmerston was prepared to go to war, he only referred to the impression which his appointment was likely to produce on the Continent; and in illustration of that he referred to a statement made by a French Government official within the last few days, to the effect that if that noble Lord became Prime Minister the troops of England would join those of France.

THE EARL OF DERBY: My Lords, I should have risen immediately after the speech of the noble Earl opposite (Earl Granville) who followed the Mover and Seconder of the Address had not a noble Earl from the other side of the House stated to me that it was his intention to move an Amendment to the Address, and I considered it more respectful to the noble Earl and more suitable to the convenience of your Lordships that I should postpone my observations until it became my duty, as it certainly would have been, to object to that Amendment. Subsequently the noble Earl, I suppose, has seen some reason to think that it would not be expedient to press for a division, or even to bring under consideration the Amendment of which he gave me notice, and I believe has left the House. I confess, my Lords, that it is with some satisfaction I feel that, in rising to address you, I shall not be under the necessity of trespassing on your attention for any long time; for, although the debate has been very lengthened, very able, and, in many respects, highly interesting and highly important, I must say it has been one of a singularly discursive character, and that (which is peculiar to these debates)—being a debate on the Speech and Address in answer to the Speech—I have now listened for a period of about five hours and I have not heard from any one speaker a single reference to any one paragraph in the Speech. I think I may make one exception — I believe the noble Earl opposite (Earl Granville) did make one reference—no, my Lords, now I remember, he referred to the Speech on the prorogation of Parliament;—so that not one speaker has referred to the Speech of to-day.

EARL GRANVILLE: The noble Earl is not quite right; I did make a reference to the Speech.

THE EARL OF DERBY: Which Speech?

EARL GRANVILLE: This Speech.

THE EARL OF DERBY: I listened with very great attention, and did not not notice it—it must have been a very distant allusion. But there was a paragraph in the Speech on the prorogation to which the noble Earl thought it necessary to call your Lordships' attention. He appeared to consider it a matter of impropriety, and almost profaneness, that the Minister, in the name of the Sovereign, should have addressed Parliament in such terms. The noble Earl said that Her Majesty was made to express what almost amounted to a prayer that the result of the dissolution might be to give the Ministry a majority; and he added that the Members of the Government had not relied altogether on the efficacy of prayer, because, like the waggoner in the fable, they had put their Governmental shoulder to the wheel most energetically. There has been a great deal of nonsense talked about influencing the elections. My noble Friend the Lord Lieutenant of Ireland has very satisfactorily disposed of these alleged compacts of Government, at all events with regard to what took place in Ireland; and I can only say that I am as free with regard to the Government on this side of the water as my noble Friend is with regard to the Government on the other side of the water, from any compact, agreement, or negotiation, either directly or indirectly, with Cardinal Wiseman. This I do know—that before the late dissolution I was told by Conservative Roman Catholics, that they were glad to find that, without violating their religious principles, and in accordance with their political principles, they could give a support to the present Government which they had never been able to give to former Conservative Governments. But that was not based on any promise or expressed intention of what the Government might do, but upon what the Government had openly, publicly done in the pursuit of their conscientious duty, and on no political grounds, unless the obligation which we felt of doing that which we conscientiously believed to be right be called a political ground. We found, and it was subsequently published in a letter from Cardinal Wiseman to an Irish Member, that the Roman Catholics were disposed to give, and did give, their support to the Government, because, without any professions or pledges, the Roman Catholics found they were treated with more courtesy, more fairness, and more straightforward dealing in matters affecting their religious feelings by the present Government than they had ever been by any former Government. I do not believe that the reason for the support which was given on the one side by the Roman Catholics, and obtained by the Government on the other was a reason of which either need be ashamed. We have done for them what they were fairly entitled to from us in the discharge of our public duty; we have done for them only that to which we thought they were fully entitled; and we shall continue to pursue the same course. We shall give them whatever indulgence, or I would rather say, whatever fair dealing they are entitled to; and we shall not give them one single thing which would prejudice or impair the interests of the Church to which we belong, and whose interests we feel bound to support. But if the Roman Catholics are satisfied with a Government which makes no fair promises, holds out no large expectations, but which they find deals out real and substantial justice, I say again neither they nor we ought to be ashamed of the support which they have accorded to us. But, again, with regard to the fact, and more especially with regard to Ireland, that support has been of a most divided character, and at some Irish elections the Roman Catholic priests have been more violent than on any former occasion against the Government candidates. Among other things said of the Government, I have heard of fabulous sums—and the mention of fabulous sums naturally calls to my remembrance a right hon. Baronet on a Northern hustings. That right hon. Baronet has already been subjected to correspondence upon two points, with regard to both of which he was unfortunately led into making erroneous statements, and statements entirely contrary to fact. One of them—the most signal one—was that the Government was about to bribe the Roman Catholics with I don't know what promises and magnificent expectations; and the other that the Government did a very popular act on the eve of the elections in raising the billet money for the purpose of obtaining the support of all the licensed victuallers. It turned out very unfortunately for the right hon. Baronet that the recommendation to raise the billet money did not emanate from the Government. It may perhaps be considered one of those weak and culpable yieldings to public opinion under the dictation of a Committee of the House of Commons which the noble Earl has condemned; but it so happens that it was the recommendation of a Committee which sat in the Session of last year, that at the commencement of last Session it was announced by the Secretary of War as intended to be done, that it was introduced into the Mutiny Act, that it was discussed in Parliament on the Mutiny Act, and that the Mutiny Act was passed before there was any thought of a general election. So far as to the motive for increasing the billet money. We have been told that fabulous sums of money were subscribed, as one hon. Gentleman expressed it, "foully to pack the new Parliament;" and the right hon. Baronet to whom I have adverted—to borrow a phrase from his Scotch neighbours,—"condescended to particulars." Not satisfied with the general rumour of the hundreds of thousands of pounds which were to come from the Carlton Club, he specified the precise sum which I myself had given. I am quite satisfied of one thing—that the right hon. Baronet has not had access to my banker's cheque-book. The right hon. Baronet took upon himself—I do not know whence he got the information—to state that I had boasted of having subscribed £20,000 for the purposes of corruption. I conclude the right hon. Baronet did not invent the statement, but he was the first to put it in circulation, and I am indebted to him for having it repeated upon many hustings in the country. What effect it produced there I don't know; no doubt, on some of them, an effect very different from that which the right hon. Baronet expected. But, at all events, with regard to this fact, as with regard to the others, the fact is that it is no fact at all. I not only did not subscribe £20,000, nor £10,000, nor £5,000 to the expenses of the general election, nor to any election at all in the country, although there was in my own county a contested election, which was carried in a way most satisfactory to the Government, and I believe with the smallest expenditure that was ever known at such an election. I was surprised to hear it made a charge that large sums had been subscribed by the Conservatives for the purposes of the election. I believe no general election occurs at which gentlemen of both parties do not subscribe certain sums of money for the purpose of meeting the legitimate expenses of those gentlemen of their own party who are not able to defray them themselves. The noble Earl (the Earl of Clarendon) opposite I see holds up his hands in horror and astonishment; but my noble Friend must either be a very good hand at dissimulation or he is remarkably innocent with regard to the proceedings which have taken place with both political parties, either in my memory or during the noble Earl's lifetime. But beyond the ordinary subscriptions which are entered into at every election I do not believe that in any quarter there has been any unusual or extraordinary outlay on the present occasion. I did not think it necessary to trouble the right hon. Baronet with a third correspondence; but the present occasion appeared to be a very fair one for setting him right in the mistakes he made which have not been previously corrected. The paragraph in the prorogation Speech, which appears to have given greatest offence to my noble Friend opposite, is this:—

> "Her Majesty prays that, under the blessing of Divine Providence, the step which she is about to take may have the effect of facilitating the discharge of her high functions, and enable her to conduct the Government of the country under the advice of Ministers possessing the confidence of Parliament."

The gloss which my noble Friend puts on that is, that Her Majesty prays that the effect of the dissolution may be to give the Government a majority. Now, I happen to recollect that in 1857 there was a somewhat similar dissolution, at a time of year not very different from the recent dissolution, in consequence of the Government having been put into a minority. The language then put into Her Majesty's mouth by the Government of Lord Palmerston I find is much more profane than anything which the noble Lord has quoted from the Speech for which we are responsible. In 1857, Lord Palmerston being at the head of the Government thus advised Her Majesty:—

> "Her Majesty commands us to assure you that it is Her fervent prayer that the several constituencies of the United Kingdom, upon whom will devolve the exercise of those high functions which by the constitution belong to them, may be guided by an all-wise Providence to the selection of representatives whose wisdom and patriotism may aid Her Majesty in Her constant endeavours to maintain the honour and dignity of Her Crown."

Let us contrast the two Speeches and see to which of them the charge of profaneness applies. Lord Palmerston makes Her Majesty pray that the people may be guided to the selection of representatives who will aid her in upholding the honour and dignity of the Crown. But recollect, the appeal to the country was based on the ground that Parliament had not assisted Her Majesty in her endeavours to maintain the dignity of the Crown. But in the prorogation Speech to which my noble Friend has alluded, what Her Majesty prays is that the step which she is about to take may "enable Her to conduct the government of the country under the advice of a Ministry possessed of the confidence of Her Parliament and Her people." I say distinctly that it was the main object of the dissolution to obtain, if possible, that which all your Lordships have declared to be the great want of the country at this moment—a Government strong enough to carry on the business of the country without embarrassment—a Government which may be able to facilitate the discharge of the high functions of Her Majesty, in the discharge of which She is exposed to the greatest embarrassment from the frequent changes of Government. I say sincerely—I said it when announcing the intention to dissolve, and I repeat it now—that it was my anxious wish that there might be such a clear and explicit declaration of the opinions and feelings of the people that the Government, whether ourselves or any other which might succeed us—for I spoke without reference to any party considerations or any wish of my own—might possess the confidence of the great majority of the people, and that the serious detriment to the public interest, which has been caused by the absence of such a state of things, might be put an end to. I stated then, and I hold it now, to be of the utmost importance to the country that such a state of things as then existed should not continue. For the continuance of such a state of things I am not responsible. I feel the inconvenience of being the head of a Government which does not command an absolute majority in the House of Commons, and if I could see my way to a Government bound together by common ties, capable of acting together harmoniously, and possessing the confidence of a majority of the country, however much their opinions on certain subjects might differ from mine, I would cheerfully, willingly—nay, more, gladly surrender the responsible post which I occupy for the purpose of facilitating the formation of such a Government. But it is because I see no possibility of such a union among those boasting to be the Liberal majority, that under all the difficulties of this position at home—and I do not disguise that they are great—and under all the difficulties which surround our foreign policy abroad, I hold it to be my duty to my Sovereign, and it is a duty which I shall perform to the utmost of my ability, however painful the course may be—not to abandon the post confided to me, not to give up the trust placed in my hands, so long as I see that there is any possibility of discharging that duty with honour, and so long especially as there appear to be no means by which the present Government can be effectually replaced. Those who condemn the late dissolution of Parliament must do it on the ground that no dissolution is legitimate which does not promise to secure an absolute majority to the Government of the day. My Lords, when I accepted office it was because there was no possibility of forming any other Government at the time —a fact which was recognized by Parliament—that impossibility was known to my Sovereign, and notwithstanding all the disadvantages of the position I felt bound to assume the difficult task of forming a Government; but I should have been a madman if I had assumed that charge, with a majority of 120 or 130 Members against me, bound to quit office upon the first occasion on which that adverse majority might think fit to display its strength against me. The very fact of my accepting office under such circumstances was a certain proof that in the event of defeat it would be my duty, my imperative duty, to appeal to the country. The noble Marquess near me (the Marquess of Normanby) —whom we all rejoice to see among us again—has compared the circumstances of this dissolution of 1859 to that of 1841, to which he says he objected at the time. But let me compare the circumstances of the two dissolutions. The Government at that time had been in a permanent minority for two years in a Parliament of their own choosing. In 1839 the Government tendered their resignations, and the substitution of a Conservative Government was only prevented in consequence of some trifling misunderstanding with regard to the Royal household. They were exposed to constant defeats from a party—the union in whose ranks was more complete and more sound than the union in any party which I can recollect. At the close of the Session of 1841 a vote of want of confidence was passed against the Government, by the majority, however, of one only. The Government then had to consider what would be the effect of a dissolution. On the one hand there was a compact united party ready to take its place and succeed to the administration of the affairs of the country. That being so, the Cabinet had, upon the other hand, to consider whether there was any chance of so far recruiting the number of its supporters by a dissolution as to enable it to weaken the forces of its opponents. Now, I do not think any member of Lord Melbourne's Government believed for a single moment that it could obtain a working majority, or anticipated that by a dissolution it should, even in the slightest degree, improve its position. But what was the result? Why, that on the first day of the meeting of Parliament after the new elections a vote of want of confidence, which had previously been carried by one vote in the previous Parliament, was then carried by no less a majority than ninety-one. Compare the dissolution of 1841 with that of 1859. What was the position of Her Majesty's Government after the late vote? We succeeded to office, as I before stated, in a minority. That was well known. It was equally well known that at the period of the dissolution there was no party in the House of Commons sufficiently united to take our places if we had resigned. Under those circumstances, we deemed it to be our duty to dissolve; and the consequence has been that although the Government have not succeeded in obtaining an absolute majority, yet that we, having been defeated by a majority of thirty-nine on the second reading of the Reform Bill, have secured, according to the nearest calculation which I can make, an addition of thirty Members to the number of our supporters, thus making on a division a difference of sixty votes. Now while I admit that we are not in an absolute majority in the House of Commons, I contend that there is no party, nor even any two parties combined, which of themselves possess sufficient strength to form a Government as numerically powerful and as compact as that which now holds the reins of office. We have been told by my noble

Friend below me (the Earl of Ellenborough) who spoke this evening with that great ability which he always displays, that it is the duty of public men at such a crisis as the present to combine together for the public good and to endeavour to form a strong Government. My noble and learned Friend opposite (Lord Brougham) also, I think, referred to the subject in alluding to the memorable attempt to effect a combination between Pitt and Fox. I was, I must say, somewhat struck by a singular coincidence suggested by the remarks of my noble and learned Friend, which tends to prove that the sacrifices which were made by the statesmen of former times are not without parallel at the present day. In 1804, Pitt said Fox behaved like an angel. Now, what was the angelic virtue which called forth this expression of approbation? It was the acceptance on the part of Fox of a mission to Vienna. These great men were two rival statesmen. They could not both have held the foremost part in the Government. It was therefore agreed that one should accept the inferior post of Minister at Vienna, and the acceptance of that post was held to be the act of an angel. If I remember rightly, the noble Lord the Member for London is equally entitled with Fox to the praise of having done an angelic act; but I never heard that the noble Lord the Member for Tiverton had the generosity to say that in his opinion his noble colleague had behaved like an angel. Indeed, I believe the noble Viscount seriously and sincerely rejoiced at the self-sacrifice of his noble Friend; nor can I help thinking that he rejoiced quite as sincerely when he found that the result of his negotiations in Vienna did not tend very materially to increase his noble Friend's political reputation. But I understand that a meeting of reconciliation has taken place, at which those two noble Lords were present; and perhaps my noble and learned Friend would still further assist the work of peace by suggesting which of them should upon a second occasion undertake the angelic mission. For my own part, I say seriously, I do not think any public advantage can be secured by men for the purpose of merely forming an Administration, sacrificing their own political principles; I cannot, undoubtedly, charge myself with having neglected to obtain, so far as was in my power, extraneous aid from quarters not immediately connected with the Government. I have unfortunately not been successful in my efforts in that direction, but I cannot accuse myself of having omitted any opportunity to strengthen by fair and honourable combination — not involving any sacrifice of principle—the Government which has been entrusted to me by my Sovereign. I am not now going to follow my noble Friend opposite (Earl Granville) into a discussion of the various shortcomings of which he seems to think Her Majesty's Ministers were guilty in the course of last year. There were some charges which he has made against us, which I little anticipated would be pressed upon the notice of the House on an important occasion like the present. My noble Friend, having no fault to find with the Speech or the Address, was obliged—as it was necessary to find fault—to go back to the old story of the Conspiracy Bill and the India Bill. It certainly is very satisfactory to me to find that my noble Friend is so badly off for a subject of attack—it is of course the duty of his position to find fault—that he finds it necessary to revert to the proceedings of a year and a half ago. Having disposed of the Conspiracy Bill and the India Bill, the noble Earl dwelt upon the subject of foreign affairs, with respect to which he accuses us of gross neglect. He says we have acted most improperly in not laying the papers connected with this important subject upon the table of the House. I should, however, like to learn from my noble Friend what papers of any kind or description which we could produce, and which your Lordships have expressed the slightest desire to see, have not been presented to Parliament?—what papers have been withheld, or in the slightest degree garbled? In the case of the *Cagliari* and of the *Charles et Georges* the fullest details were laid before the House, and the result was, that the course pursued by the Government in reference to the former met with general approval; while in the case of the latter, which, it was said, was to affect the very existence of the Government, not only did the production of the papers establish a triumphant defence for Her Majesty's Ministers, but no attempt to raise a discussion as to the wisdom of the policy which they adopted was raised either in this or in the other House of Parliament. [Earl GRANVILLE intimated dissent.] I beg the noble Earl's pardon. A Motion was made in your Lordships' House with respect to it, but that Motion was very wisely and discreetly and constitutionally withdrawn. Now, my

Lords, I do not wish to speak in disparagement of the general tone of fairness and moderation with which the efforts of the Government have been met by noble Lords opposite, and their party, more especially when dealing with the delicate and difficult negotiations which have taken place in reference to foreign affairs. I do, however, think it too much to say that, from the period of the formation of the Government up to the present, it has invariably met with nothing but singular forbearance and good humour on the part of the House of Commons. Has no attempt been made to interfere with our possession of office? If I am not very much mistaken, a Motion was, very shortly after we succeeded to power, introduced simultaneously into both Houses, which assumed the form of an absolute vote of censure, and which was heralded by strong declarations of what must be the effect of the culpability of Her Majesty's Ministers. The debate on that Motion lasted in the other House for a considerable number of days, and the result was to prove that, even in that House, if the Government did not possess an absolute majority, it had a sufficient number of supporters to enable it, with the assistance of fair dealing on the part of the House at large, to resist any factious attempt to overthrow it. In the face of the defeat which the party to which the noble Earl opposite belongs experienced upon that occasion, no serious attack was subsequently made upon the Government during the progress of the Session. But while I admit the forbearance which has been exercised in respect of foreign affairs, I cannot help thinking that this circumstance is due as much to their discretion as to their forbearance. But to show how hard pressed my noble Friend must have been for a subject on which to found an attack upon the Government, he actually, when the question of peace or war, so far as this country is supposed by some—although I hope without sufficient reason—to be trembling in the balance, and on the very first night of the Session, deems it his duty to find fault with us for having expended a certain sum of money, or in renewing the contract with the Cunard Steampacket Company, which had been carried out for some years with great success. It so happens, however, that the step which we took in reference to that subject was one in adopting which we were merely carrying out the strongest recommendations of the Board of Admiralty which preceded us in office, and which recommendations had not previously been carried into effect by the Treasury, simply because they thought it expedient to postpone entering into a fresh contract until the existing one was nearer its completion. In the meantime, however, the person who held the contract came to the Government, saying that he wished to extend its terms and to give us adequate consideration. He stated that it would be necessary to build for the purpose a considerable number of vessels, and that two years and a-half, the period which the contract had to run, would barely suffice for their construction. Under these circumstances he asked for the renewal of the contract for a period of five years, and these facts the noble Earl has thought proper to make the ground of a solemn charge against the Government. I shall now pass from the observations of the noble Earl to those which fell from the noble Duke who has just spoken (the Duke of Argyll). He has thrown quite a new light upon the reasons for the dissolution of Parliament. He says we had recourse to a dissolution not for the purpose of ascertaining whether the Government or the party to which he himself belongs enjoyed the confidence of the country—that he conceives to have been a mere blind; the real question, in his opinion, being whether or not the country approved the Reform Bill. Now, I take the liberty of saying that the question was not whether the country approved our Reform Bill, but whether it approved the course which the Opposition took for the purpose of preventing discussion upon the Reform Bill. The noble Duke says it is the misfortune of unsuccessful Reform Bills that not only are their bad provisions condemned, but their good provisions are disparaged and prejudiced. If that be so, the measures of 1852 and 1854 must have seriously damaged the cause of Parliamentary Reform throughout the country. The noble Duke adds that if the Bill of last Session had gone on, the majority against it would have been twice as great as that which carried the Resolution. Now, I believe nothing of the kind; for I am perfectly satisfied that if the Opposition, who were wise in their generation, had been of opinion that by opposing the second reading they would have had a much larger majority than they actually obtained, they would have adopted the more ordinary and usual course of opposing the second reading, and therefore of getting the opinion of the House on the merits of the measure as a whole. My firm belief is that they were perfectly aware that the second reading would be carried; in which case, instead of vague generalities, they would have been called upon to deal with the provisions of the Bill one by one, not only condemning them, but stating what provisions they would propose instead. From that attempt they shrunk; knowing probably that it would, if made, have exposed the wide differences of opinion existing among those who please to call themselves the united Liberal party. I say, therefore, it is not the question of the Reform Bill which went to the country; and it is extraordinary on how small a number of hustings, reform was made a prominent subject of discussion. The question put to the country was, "Are you prepared in the present state of parties to give such a support to the present Ministry as will enable them to carry on satisfactorily the government of the country; or will you extend that support to any other Government?" My Lords, the result is before you. Undoubtedly, it is not entirely satisfactory, and still leaves the Ministry in a position of weakness which is not desirable for any Government. But, with regard to foreign policy and foreign affairs my experience in the past, my confidence in the character of my countrymen, leaves me no reason to doubt that in the course we have announced and are determined to pursue we shall have a general support quite sufficient to show to all the nations of the Continent that upon that subject, at all events, there is no difference of opinion which can give to the enemies of this country the slightest chance of success from our divisions. Undoubtedly, there have been expressions of individual opinion — expressions which individual Members may be perfectly justified in making use of in their private capacity — indicative of sympathy for one or the other of the contending parties in the present strife. But with personal sympathies a Government has nothing whatever to do; and upon that question I am sure you will expect and will require me to speak with the utmost reserve. I have never, however, concealed my opinions on the subject. I have always stated that if this were a question of an Italian or any other nation seeking to emancipate itself by its own efforts from the control of a foreign Power which had long been the object of its aversion, and seeking to establish instead of arbitrary government a system more approaching those liberal institutions with which we are blessed in this country, the private sympathy of every Englishman would be for the success of such an attempt. But, my Lords, is that in any sense the case in the present struggle in Italy? Is that the struggle of a nation seeking to emancipate itself by its own efforts from foreign control, and to substitute for arbitrary government liberal and free institutions? Even if it were so, whatever might be our sympathies, we are bound by treaties and by international obligations which would not enable us to give an active effect to those sympathies. But I must say, with almost all who have spoken on this subject, that, while we cannot view with approval the course of conduct which has been pursued by Austria—while I have no sympathy with Austrian rule or with the Austrian form of government—this is a war undertaken under false pretences; it is a war, not for the freedom and liberation of Italy; it is one in which unfortunately Sardinia has taken the lead in forcing upon Italy, thereby, as I have stated on a former occasion, seriously damaging that cause of constitutional Government which we the friends of Sardinia earnestly desire to see tried and prosper there, and showing that a Government with free institutions may not be less aggressive, not less ambitious of aggrandizement, not less prone to disturb the peace and tranquillity of its neighbours than the most arbitrary despotism. I do not say that the blame rests on one side or the other in this unhappy contest; but neither on the one side nor the other was there any sufficient ground for incurring all the horrors of war, and had both been so disposed there existed no practical difficulties which might have not been solved by friendly negotiation. Independently, therefore, of any cause which may be involved in the struggle, this country cannot feel sympathy with either party; it cannot be anxious for the success or the defeat of one side or the other, except as that success or defeat may lead to future complications or to consequences which it is hard to foresee. As we are at present advised, and in the present state of the contest, I hold it to be the imperative duty of this country to maintain that which from the first I have announced to be the policy of the Government—namely, a strict and impartial neutrality between the two contending parties. But unhappily, my Lords, a position of neutrality is exposed to so much suspicion, it involves a country which fairly and impartially carries it out in so many possibilities of giving offence to one of the contending parties, the obligations arising from such a struggle as is now going on are so impossible to be foreseen, and may perhaps be so extensive, that the statesman would be mad who with this war raging around him, determined as he might be to maintain a strict neutrality, did not feel it his bounden duty by fitting preparations to place this country in a position of security. And I believe that as your Lordships, the other House of Parliament, and the country are unanimous in the opinion that neutrality is the only policy for the Government to pursue, they will be equally of opinion that the only species of neutrality which can hope to be respected and to give influence to our future counsels must be an armed neutrality—armed, not for purposes of aggression, but for purposes of protection to our shores and the vindication of our national honour. Do you ask me if I have any proximate fear of invasion? I say none whatever. I do not think there was ever a time when this country was more free from the threat or alarm of immediate invasion; but when I see the armaments and fleets which other countries are collecting and remember the power which they would have in their hands in case of any unexpected quarrel, when I remember that there is a possibility of this country being materially injured almost before it has time to make preparation, I do say it is the bounden duty of Parliament—a duty which I believe will be cheerfully performed—to place this country, and more especially its naval forces, upon a footing more commensurate with the great interests involved than has been the case for some years past. Without intending to cast any imputation upon those who preceded us, I must say that when we succeeded to office we found the navy in a state of weakness, decrepitude, and absolute impotence, which was by no means creditable to this country, and was not even safe for its interests and independence. From the gesture of the noble Earl opposite (Earl Granville), I infer that he believes me on a former occasion to have expressed a different opinion. He is quite mistaken. Upon that occasion I did not say a word as to the state of the navy; but, referring to the condition of the army in 1852 and 1858, I said that the efforts which had been made reflected great credit on that Department. About the navy I uttered not a word, thinking that the less said about it the better. But if noble Lords would only take the trouble to look into a paper which has been published in the course of the present year, and which emanated from a Secret Committee appointed by me at the commencement of this year to inquire into the comparative state of the British and foreign navies, I think they will see in the course of that inquiry, which went into the most minute details, matter for very serious consideration, and such as will show them that our efforts can hardly be too great to place the navy on a better footing. I will not go into detail, but any of your Lordships who will take the trouble to examine the Report of this Committee will find in it matter not, perhaps, for alarm, but for the most anxious consideration. I do not doubt that in the present state of affairs any demand which the Government may make upon the House of Commons will be met without a dissentient voice; and I rely, with the same confidence that Her Majesty has expressed in Her Royal Speech, upon the cordial concurrence of Parliament in those measures which we have already taken upon ourselves to adopt for the increase of the naval forces of this country beyond the means sanctioned by Parliament, as well as in the other credit for which it will be our duty at no distant period to call. My Lords, as no Amendment has been moved and no objection taken to any one paragraph of the Royal Speech, I ought perhaps to apologise for having detained your Lordships at the length I have done. We are now entering possibly upon an important Session of Parliament. If in the course of the present week it should be proved, by the result of the discussions, which are now taking place, not only that we do not possess the confidence of the country, but that there is another party who have satisfied themselves that they are more able efficiently to discharge the duties of legislation and of the Executive Government, I can only say that I shall lay down with far more pleasure than I took it up the heavy responsibility which presses upon me, and, so far as my principles and sense of duty will enable me, shall give my cordial and earnest support to any Administration by which the present Government may be replaced. On the other hand, should, as I confidently anticipate, the vote of the House of Commons be to show that the present Government, as compared with any other that could be formed, possesses the confidence and is entitled to the support of Parliament, I must hail with satisfaction the assurance which we have received from the noble Earl opposite—an assurance which is in accordance with his general frank and honourable conduct—that there would be no attempt made by those who are politically opposed to us to offer us any factious opposition, or to cause us any unnecessary embarrassment. Above all, my Lords, I am sure, from one side of the House to the other will be re-echoed the sentiment that when the public interests are at stake, and when a formidable danger threatens, all sense of party will be lost in the determination effectively to support the Government of the day in maintaining the interests, securing, it may be, the peace, but if not, then in supporting by arms the influence and the power of England.

Address *agreed to, Nemine Dissentiente;* and Ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session.

THE REPRESENTATIVE PEERS FOR SCOTLAND.

THE LORD CHANCELLOR acquainted the House, That the Clerk of the Parliaments had received, by post, from the Deputy Keeper of the Records of Scotland (pursuant to Act),

Minutes of Election of the Sixteen Peers of Scotland, 10th May, 1859; and also

Return to the Clerk of the Parliaments, by the Clerks of Session, concerning Titles of Peers called at said Election:

The same were Ordered to lie on the Table.

House adjourned at half-past Eleven o'clock, to Thursday next, half-past Ten o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, June 7, 1859.

MINUTES]. NEW MEMBERS SWORN.—Several Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion, took and subscribed the Roman Catholic Oath; Several other Members took and subscribed the Oath.

The House met,—at One o'clock.

Message to attend Her Majesty.

The House went;—and being returned,

OPERATIONS IN INDIA.—THE VOTE OF THANKS.

LETTER OF ACKNOWLEDGMENT FROM SIR JOHN LAWRENCE.

MR. SPEAKER acquainted the House that he had received from the right hon. Sir John Lawrence, Baronet, G.C.B., a Letter in return to the Thanks of this House, communicated to him in obedience to their commands of the 14th day of April last.

Letter read.

OUTLAWRIES BILL, "for the more effectually preventing Clandestine Outlawries," read 1°.

HER MAJESTY'S SPEECH.

MR. SPEAKER reported, That the House had this day attended HER MAJESTY in the House of Peers, when HER MAJESTY was pleased to make a most gracious Speech from the Throne to both Houses of Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy: which he read to the House.

ADDRESS IN ANSWER TO HER MAJESTY'S SPEECH.

AMENDMENT.—(FIRST NIGHT.)

MR. A. F. EGERTON: I rise, Sir, to move that an humble Address be presented to Her Majesty in answer to the gracious Speech which the House has just heard, and in doing so I stand greatly in need of that indulgence which the House always extends to those who address it for the first time. Not only is this the first time I have had the honour of addressing this House, but it is the first occasion on which I ever assisted at a debate. The state of Europe is now very different from what it was when the dissolution of Parliament took place. At that time every effort was being made to preserve that peace which has since been broken, and war is now, as the House is too well aware, unfortunately raging in one of the most fertile portions of Europe. I believe that in accordance with the words that have fallen from Her Majesty, Her Majesty's Ministers have endeavoured to preserve that peace, and they have been assisted in those endeavours by one of the ablest diplomatists of the present day—I mean Lord Cowley, and I also believe that nothing was left untried to prevent the state of things that has unhappily arisen. I have been told, and I have likewise seen it stated in the public prints, that an accusation would be brought against Her Majesty's Government that it had not preserved peace, and that through its means the influence of England had been diminished on the Continent. Now, Sir, I think that this was a very unfair accusation. I cannot, of course, tell what would have happened if other Gentlemen had had the conduct of affairs, but this at least I know, that the present Government has done everything that lay in its power. It must likewise be remembered, that the hands of Ministers were tied by the strictness of that neutrality for which the people of this country have so emphatically declared; and it was impossible, under such circumstances, for us to have the influence which we might have had if it had been known that our Government, under certain circumstances, could have entered into the contest. I therefore maintain that the country having decided most emphatically upon neutrality, it was impossible to avoid a certain loss of influence in the progress of the struggle.

Undoubtedly in the present state of Europe there is much to deplore. We see three nations now engaged in a sanguinary struggle. Every telegram brings us news of some battle, or at least some skirmish. We have accounts every day of the ravages of war—of a war that is carried on upon a scale that reminds us of the wars of the First Napoleon. Well, Sir, what are the nations taking part in this war? In the first place, if we cast a glance at the nations taking a part in the struggle, we see the Italian nation—or at least if not the Italian nation, a number of kindred races—panting for that liberty which they have never enjoyed, never, that is, since the time I may almost say of the ancient Roman Empire. They did certainly once enjoy a shadow of liberty—or rather it was not liberty, but licence—and they wish to know what that liberty is which we enjoy, and which, perhaps, no nation ever more fully enjoyed than ourselves. Then, Sir, there is France. I am not about to enter into the merits of this struggle. I take facts as I find them; and I find that France has taken upon herself the duty of assisting these Italian nations. She is actually engaged in assisting them in the acquisition of a liberty which she does not enjoy herself. Now let us look to the third Power. There is Austria, for whom, in spite of her many shortcomings, England must have great respect, in consequence of the part she took in the great continental struggle which ended in 1815. I do not, Sir, attempt to defend the course taken by Austria with respect to Italy at the commencement of the struggle; but there is this to be said in her favour, that she holds her possessions in Italy by the very same title that we hold most of our Colonies and dependencies abroad. It is not my intention to go into the justice of this struggle. I leave that to the casuists to decide. They may settle whether the wishes of nations or the force of treaties are to be the strongest. I believe our duty is to consider what was the actual state of things which existed, and to deal with the state of things as they existed.

There is one other nation, of which we know but little. I allude of course to Russia. We have, indeed, the assurance Her Majesty has given us that she is at peace with all nations, but we know not what course Russia will take; but I hope that she will take the same course as ourselves, and remain absolutely neutral. It was with the greatest pleasure that I heard the announcement in Her Majesty's Speech that the policy of this country was absolute neutrality. It is true that England cannot, like a surgeon in a difficult operation, stand by and coldly criticise the operator and the patient. We must, when we read of the state of excitement in which the public mind is at present, we must have mingled feelings when the news is brought to us of exciting battles; we can feel pity for the people whose houses are rifled, and for all the miseries incidental to war. We can feel admiration for the valour and devotion displayed by the French and Sardinians, and also for that displayed by the Austrians. But here our duty is very plain. We have no interest in this struggle. We have nothing to do but to look on; and I trust, whatever else may occur, nothing will take place to cause us to be mixed up with the struggle in any way whatever. If it is true that in this war between France and Austria, Austria is backed by the whole public opinion of Central Germany, we cannot tell what may be the result. It is impossible for any person to foresee the conclusion of the present struggle. And, therefore, in my opinion Her Majesty's

Ministers have taken the right course in strengthening by every mode in their power the defences of the country; and there is no reason to doubt but that they will be backed up in the course they have taken by public support. I believe, whether they remain in office—which I trust they will do—or whether they are succeeded by others, that, at least, in this respect, the measures that have been taken will be carried out by their successors to the utmost.

There is an old maxim—*Si vis pacem, para bellum;* and on this maxim it is satisfactory to know that the Government have acted. I have seen with pleasure the announcement that our fleet has been strengthened in a very material degree. I believe there is no doubt that we have a squadron in the Mediterranean that can cope with anything that can be brought against it. We shall soon have also a Channel fleet, which will add greatly to the power and dignity of the country whatever attitude she may take, but which, I trust, will only be required for harmless display and complimentary salutes. There was one measure that was alluded to in Her Majesty's Speech to which I must advert—I mean the manning of the navy. I trust that measure will secure to the nation a permanent body of sailors, and that we shall not again hear of hastily-manned ships and imperfectly supplied fleets. All these measures doubtless cost money, but I think there is no doubt that the country will bear any weight of expense that may be deemed necessary for such purposes. It is very satisfactory to know that the state of the trade and finances of the country is very prosperous, and as far, Sir, as my own experience goes in the county I have the honour to be connected with (Lancashire), trade has not suffered, or not suffered in any material degree, from the present state of continental affairs. Therefore, as the prosperity of the country has increased, and is increasing, I think we may hope that nothing will occur to prevent or interrupt that prosperity.

Sir,—There is one other leading feature, I may call it, in Her Majesty's speech, and that is the question of reform. I know not what may be the feeling of the House on this question. Not having had the honour of being a Member of the last Parliament, I do not intend to discuss what then took place with regard to reform; but in my humble opinion I must say that in the present state of affairs I think Her Majesty's Ministers are wise in postponing the discussion of that question until another Session. We have now, I believe, only about seven weeks in which to settle the finances of the country and the rest of the necessary business of Parliament. Supposing, then, that any measure of reform were brought in, I presume it could not come before the country till about three weeks; then the discussion at that stage of the Session could hardly be such as the measure would require. It would be impossible to look into the details in a manner which the country would be satisfied with. I am therefore of opinion that Her Majesty's Ministers have shown a wise discretion in stating that this measure of reform will be considered in the next Session. I shall not discuss the character of that measure till it is brought forward. But I have reason to believe that there certainly will be in it a diminution of the borough franchise. I do not know what it is intended to do with regard to the counties, but as far as my opinion goes I should wish to have, to a certain extent, a diminution of the franchise for both counties and boroughs. I think the objects of such measures should be, as they have been proclaimed before the country, to give the working classes a share of the electoral franchise. It is not my intention to discuss this question further; but I trust that when the measure is brought forward, which we have in a manner promised to us, it will be satisfactory to the country, and that although Her Majesty's Ministers may not perhaps take counsel with the extreme party in the country, they may still, I trust, be able to bring forward a measure which will settle this highly important question for many years to come. For myself, I should wish to settle the question satisfactorily during this Session; but I think it is impossible, and I give Her Majesty's Ministers credit for really wishing to settle it in a manner that will be satisfactory.

Now, Sir, these are the salient points of Her Majesty's Speech. I do not know much of the new measures that will be brought forward. I believe the measure of the hon. and learned Gentleman the Solicitor General of the last Session will be again brought forward, and that this will be one of the first to be introduced. I am not at present aware what other measures will come before us. We are told that we are threatened with an Amendment tonight. Now, I know not whether this

Amendment must be considered as a general attack, or is what I may term a *reconnaisance en force.* The enemy may, perhaps, only show their strength and then retire. I know not what their tactics may be. If it should be a general attack, I think, without anticipating at all what our opponents are able to say, that that attack can only assume two lines—one of them an attack on the past policy of the Ministry ; the other an attack on their present policy, and on what they are supposed to be about to do. Now, with regard to the past, I think it is not a part of my duty, standing in the position in which I stand, to defend them. I believe they are perfectly competent to defend themselves, and that the defence will be equal to the attack. But, then, with regard to their present and their future policy, we have all kinds of vague accusations. One of those accusation is that they are compromising the honour and dignity of the country ; another is that is it contrary to their principles to preserve the neutrality of the nation in the existing struggle ; a third accusation is that it is impossible that they can bring forward again a measure of reform that will be satisfactory to the country. With regard to the question of neutrality, why is it supposed that the present Government cannot preserve a strictly impartial neutrality? I cannot see any ground whatever for such a suggestion. I can imagine that if some of our opponents had been on this side of the House, such accusations might have been preferred against them on very good grounds. If we look back to 1848-9, some of us will remember that sentiments of sympathy were expressed with the Italian Republics. I can remember when the Duke of Genoa's flag was saluted by Her Majesty vessels, whether by the order of the Government or not I am not aware, but the act showed a belief that affairs in Italy might settle themselves after a republican fashion. I humbly think that if the noble Lord who was then Minister of Foreign Affairs, was at this time on this side of the House in the post of head of Her Majesty's Government, there would immediately be on the Continent a wide-spread belief that our sympathy, and our active sympathy, would be exerted on behalf of the Italians ; and therefore I believe that the hands of all those who wished for war would be very much strengthened. It is said that the present Ministers possess an Austrian sympathy. I do not know whether they have ; but this I do say, nothing has passed to show that they have. I believe, Sir, that they, as well as other men, are honestly intending to preserve, and that they will preserve, that strict neutrality which they have promised us, as long as it is possible to do so, and that more could not be said of any set of gentlemen who may happen to hold the reins of Government.

With regard, then, to the question of reform, doubtless the extreme party both in and out of the House may have no confidence whatever in the Government in that respect, and it is very natural that they should not ; but I cannot see why the country in general is to be identified with that extreme party. Supposing we have a division on the question which we are now discussing, it remains to be seen what the feeling of this House is as to the question of reform ; and I am convinced that the general feeling throughout the country is in favour of a moderate measure of reform. I believe, also, that if a moderate measure is to be brought in, Her Majesty's Ministers are the men to bring it in. I will not detain the House longer. I have discussed the salient points in Her Majesty's Speech very lamely, I fear ; but I thank the House for the attention with which they have listened to me, and I will now conclude by reading the Address in reply to Her Majesty's most Gracious Speech from the Throne.

The hon. Member then moved.

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Thanks of this House for Her Majesty's Most Gracious Speech from the Throne :

"To thank Her Majesty for informing us that Her Majesty has with satisfaction availed Herself, in the present anxious state of public affairs, of the advice of Her Parliament, which Her Majesty has summoned with the least possible delay :

"To thank Her Majesty for having directed that Papers should be laid before us, from which we shall learn how earnest and unceasing have been Her Majesty's endeavours to preserve the peace of Europe :

"Humbly to assure Her Majesty that we partake in Her Majesty's regret that those endeavours have unhappily failed, and that War has been declared between France and Sardinia on one side, and Anstria on the other :

"To express our gratification at learning that Her Majesty, receiving assurances of friendship from both the contending parties, intends to maintain between them a strict and impartial neutrality; and that Her Majesty hopes, with God's assistance, to preserve to Her People the blessings of continued peace:

"Humbly to thank Her Majesty for informing us that, considering the present state of Europe, Her Majesty has deemed it necessary, for the security of Her Majesty's Dominions and the honour of Her Majesty's Crown, to increase Her Majesty's Naval Forces to an amount exceeding that which has been sanctioned by Parliament:

"Humbly to assure Her Majesty, that Her Majesty may rely with confidence on our cordial concurrence in this precautionary measure of defensive policy:

"To thank Her Majesty for informing us, that the King of the Two Sicilies having announced to Her Majesty the death of the King his father and his own accession, Her Majesty has thought fit, in concert with the Emperor of the French, to renew Her Majesty's diplomatic intercourse with the Court of Naples, which had been suspended during the late reign:

"Humbly to express our gratification at learning from Her Majesty that all Her Majesty's other Foreign Relations continue on a perfectly satisfactory footing:

"To thank Her Majesty for having directed that the Estimates for the year, for which provision has not been made by the late Parliament, shall be immediately laid before us, together with such supplementary Estimates as present circumstances render indispensably necessary for the public service:

"To convey to Her Majesty our humble thanks for having directed a Bill to be prepared for giving effect, so far as the aid of Parliament may be required, to certain suggestions of the Commissioner whom Her Majesty had appointed to inquire into the best mode of efficiently manning the Royal Navy, and for recommending this important subject to our immediate attention:

"Humbly to assure Her Majesty that we rejoice to learn that measures of legal and social improvement, the progress of which was necessarily interrupted by the Dissolution, will again be brought under our consideration:

"Humbly to thank Her Majesty for informing us that Her Majesty would with pleasure give Her Majesty's sanction to any well-considered measure for the amendment of the Laws which regulate the Representation of Her Majesty's People in Parliament; and humbly to assure Her Majesty that, should we be of opinion that the necessity of giving our immediate attention to measures of urgency relating to the defence and financial condition of the Country will not leave us sufficient time for legislating with due deliberation during the present Session on a subject at once so difficult and so extensive, we trust to be enabled at the commencement of the next Session to give our earnest attention to a question of which an early and satisfactory settlement would be greatly to the public advantage:

"Humbly to express our gratification that Her Majesty feels assured that we shall enter with zeal and diligence on the discharge of our Parliamentary duties; and, in common with Her Majesty, we pray that the result of our deliberations may tend to secure to the Country the continuance of peace abroad and progressive improvement at home."

Sir JAMES ELPHINSTONE: Sir, I rise for the purpose of seconding the Motion which has been so ably proposed by the hon. Gentleman who has just spoken; but he has travelled so completely over the ground that he has left little for me to do. It is customary, I am aware, on these occasions, however, for the Seconder as well as the Mover of the Address to touch upon the points which have been presented to the House in Her Majesty's Speech, and I have, therefore, to ask the House to extend to me its indulgence whilst I take the liberty of doing so now. Sir, war having unfortunately broken out in a part of Europe, it has become necessary for this country to assume a distinct and precise position with regard to the existing state of affairs on the Continent. The papers connected with those events will, I believe, be laid upon the table of the House, but until such time as that is done, and we are in possession of the circumstances which have led to this extraordinary position of affairs, it will be impossible to enter into a discussion of the details. At the same time, however, we may be permitted to suppose, from the fact that a nobleman of Lord Cowley's high standing, and one so completely in the confidence of both parties in this House, having been employed in the negotiations which took place, every means of maintaining peace had been exhausted, and every means of conciliation tried, before the Austrians at last rushed into war. Sir, the attitude which this country has assumed is that which, in my opinion, we ought to assume and maintain—that is, an attitude of the strictest neutrality. I feel confident that there is no hon. Gentleman in this House, on either side of it, who would not desire from the bottom of his heart to do everything in his power to ameliorate the condition of the inhabitants of Italy; but the question which we have to consider here is, not how that condition may be ameliorated, but whether the Italians are likely to derive any benefit from the struggle which is now going on between the two despotisms who are striving for the mastery in that country. In my opinion, Sir, both those powers are equally despotic and equally severe; though the condition of the peasant is worse, perhaps, under French than under Austrian rule. That, however, is not the question before us. Our business is to place this country in such a state that we may maintain that neutrality which appears to be not only the will of the people but of this House; and to maintain it, moreover, with such a degree of power that if it becomes necessary for us to interfere at all we shall interfere with that amount of strength and of force which this country ought always to be in a position to put forth.

Sir, circumstances have of late years entirely altered the position of matters as regards our fleet. The motive power which has hitherto been the means of propelling our vessels has been superseded by another. The application of steam to the navy has materially altered the condition of our fleet during the last few years. I shall not inquire whether the Government of the day were dilatory or not in adopting that new principle which it was perfectly clear must eventually become the ruling motive power in navigation; but the fact is, that when the Earl of Derby's Government came into office the whole of the Navy of Great Britain was represented by some five-and-twenty sail of the line only, and in the course of the last twelve months that twenty-five sail of the line, I am happy to say, has been increased to fifty. With the two ships which were commissioned yesterday, we have now in commission, I believe, a fleet of twenty-four sail of the line, besides a fleet of heavy frigates that are nearly equal to ships of the line. I trust that we shall continue in this course, and that nothing will hereafter induce us to permit the navy of Great Britain to fall into the weak and miserable condition in which it was last year; for I believe that very weakness of our naval power has been an important element in precipitating hostilities on the Continent. If we had been backed by such a fleet as we possessed in the year 1792, when we had eighty-eight sail of the line in commission, and 130 sail of the line in all—if we had been backed up by one-half that force—I do not believe that hostilities would have been declared between Austria and France.

The dissolution of the late Parliament naturally cut short a great many useful measures which I trust will now be revived; and I am happy to learn from Her Majesty's Speech that a Bill is to be brought in, founded upon the Report of the Commissioners on manning the navy. It is, of course, impossible for me to say how far that Bill is to go; but this I will say, that the Report which, with the single exception of my hon. Friend the Member for Sunderland (Mr. Lindsay) was unanimously adopted by the Commissioners, embodies a system which, in my belief, it will be a matter of the highest importance to the country, should be carried out in its minutest details. The principal improvement of the system which it recommends is the education of boys for the navy, and you may depend upon it, that is the only means by which we can recruit and maintain our navy efficiently, and at the same time do something to raise the condition of the merchant service, which, I am sorry to say, we have every reason to believe is not at present in the state we could desire. There can be no doubt that all these things will cost money; but I submit to this House that it is perfectly impossible to have a good article without money. I think also that the labours of the Commission on manning the navy might be carried still further. The list of officers in the British navy is at present in such a state as to require that it should be looked into. The lieutenants' list, which is that portion of the service most urgently wanted on the outbreak of a war, is in such a condition that I do not believe it could possibly supply the number which would be required for active service in the event of war. It is at the same time crowded with old men, whose pay and allowances when they retire are hardly sufficient to keep them above the verge of pauperism. Indeed, I know lieutenants who are living upon less than a guinea a week after paying the miserable insurance which is to secure £200 to their wives and families upon their decease, and this applies more or less to every grade in the service. Now, I say, that is a state of things which is disgraceful to the country, and a Commission could not be better employed than in investigating, and, if possible, endeavouring to remedy this grievous state of things; the condition of the dockyards is also a matter which ought to be inquired into. Circumstances took place in 1852, during Lord Derby's short administration, which led to an alteration with regard to the patronage of the dockyards, and that patronage is now worked purely and simply for political purposes. I have no reason to complain of any treatment I have received from a dockyard, but I state most distinctly that the system which is in operation there will not bear investigation by a Committee.

I come now to the great question which has agitated the mind of the country during the last twelve months, and which must now be approaching to a settlement —I mean the question of Parliamentary Reform. That question I conceive to be perfectly impossible to deal with in the course of the present Session, although, after the exhaustive debates which took place upon that subject at the beginning of this year, I think no Government can have any difficulty in framing a measure upon the aggregate of the views which the House of Commons expressed on those occasions. The more I listened to those debates the more was I impressed with the opinion that the country does not wish or require a stringent measure of reform; but that a measure of reform of a safe and moderate character is what would find acceptance with the great majority of the people. Sir, there are various reasons why the consideration of the question of reform should be deferred until next Session. Within the last year Her Majesty has assumed sovereign sway over countries which, in the aggregate extent of their territory, are larger than the continent of Europe. The finances of India, and the general administration and management of that country, have, as yet, received but little consideration on the part of this House; and it appears to me that, during the short period which it will be possible to keep the House together some little time ought to be devoted to the discussion of that subject. Two years ago Parliament was dissolved upon the China question, but from that hour to this the question of China has not been mooted within these walls. Now that a treaty has been concluded with that Empire, bringing one-fifth of the human race in closer approximation for trading purposes with this country, I think that, at all events, one or two nights might be set aside for discussing the policy of England with regard to that great Empire. I have had considerable opportunity of seeing the state of matters in that country, and have always maintained the decided conviction that our dealings with it for the last twenty-five years have been one tissue of blunders, and that is not difficult to be shown. At all events, we are now in a position to consider the question, and see if we cannot by some means draw the bonds of amity closer between ourselves and the Government of China, so that the fearful and atrocious outrages which have taken place there under our eyes may for the time to come be mitigated in some degree, if not altogether suppressed. With the views which I entertain upon the question of reform, I do not think that I shall be deemed inconsistent if I reiterate the opinion that that question cannot be judiciously brought forward this Session. Indeed, I do not believe that any one would now press upon Her Majesty's Government to do so. In conclusion, I beg to second the Address which has been so ably moved by my hon. Friend.

Motion made and Question proposed,

THE MARQUESS OF HARTINGTON: Sir, I feel that I owe some apology to the House for intruding myself upon its notice on an occasion so important as the present. My excuse must be that I act upon the advice and with the sanction of Members of this House older and far more experienced than myself who have told me that my position as a member for a large division of a county—a constituency from which I believe I have never concealed the strong views which I entertain upon the questions which we are to discuss to-night—gives me some claim to assume a position to which otherwise my Parliamentary career would not enable me to aspire. Sir, in moving an Amendment to the Address on this occasion, I am not acting without a precedent. In the year 1841, the Government of Lord Melbourne, having been defeated by an exceedingly small majority, dissolved parliament and appealed to the country on the ground of confidence, and on the first night of the first Session of the new Parliament an Amendment was moved to the Address by Mr. Stuart Wortley, with the sanction of Sir Robert Peel. That Amendment was an addition to the Address, expressing the opinion that Her Majesty's then Ministers did not possess the confidence of the House of Commons. It is, Sir, to an Amendment of a similar character that I am now going to ask the House to give its consent. Sir, whilst the Ministry of that day combated that Motion by a reference to their measures and their general policy, they did not offer it any opposition on the ground of its being unconstitutional in its nature, or an undue interference with the prerogative of the Crown, and I do not anticipate that on this occasion we shall hear any objection to the Motion which I have to make on such grounds. Neither can I imagine that Her Majesty's Government will complain of the course which we are taking. I say, Sir, that the issue which we now put to the House is simply that which the Government have already put to the people. And it is to that question that I now ask the representatives of the people to give an answer. In dissolving the late Parliament, Her Majesty's Government did not rest their case upon any particular measure. They did not complain that they were not supported in their foreign policy. They simply put this issue to the country; they said, "For two Sessions we have endeavoured to carry on the business of the country, without being able, upon a party division, to go into the lobby with a majority of this House." They said that such a position was no longer consistent with their own dignity or advantageous to the country. And they asked the country to return a House of Commons in which their minority should be converted into a majority. Sir, I hope that the decision of the challenge which has been thus thrown down, and which we thus accept, will, at the conclusion of this debate be received by both parties in a spirit of fairness and of honour. For myself I can say, and I believe that in so doing I speak the sentiments of almost all the Members on this side of the House, that if we are defeated in the division on this Amendment we shall cheerfully and willingly bow to the decision of the House. We shall then know what is our position as an Opposition. We shall know that it will not be for hon. Members on this side of the House to aspire to guide the counsels of the country, but that it will be their part, while they exercise all the vigilance and watchfulness which is the duty of an Opposition, to give to the Government, as far as in their power, the undivided support of the House of Commons in the complicated and difficult state of the relations which they will have to carry on with foreign countries. If, on the other hand, this Amendment should be successful, then I cannot imagine that it will be otherwise than satisfactory to Her Majesty's Government to be released from a position which they have already declared that, under such circumstances, they are no longer willing to occupy. I have no doubt that it will be satisfactory to them that the state of things which has existed for the last two Sessions should cease. I am most unwilling to detain the House at any length; but I cannot help asking you to look at one or two of the results which have followed from the attempt to govern this country by a minority in this House. When we refer to the period of the accession to power of the present Government we cannot forget the Conspiracy and Assassination Bill. A measure of that description had been recommended by the Earl of Derby on the first night of the Session, and that Bill was assented to almost unanimously by hon. Gentlemen who now sit on that (the Ministerial) side of the House. Unable, however, to refrain from the temptation of joining on a cleverly-framed pretext with a large portion of the Members who sit on this side of the House, they afterwards succeeded in defeating Viscount Palmerston's Government. But I may ask what did the new Government do with the Bill which they had said ought to be introduced? They neither brought forward any new Bill of their own upon the subject nor proceeded with that of the former Government to the introduction of which they had assented. I believe that in almost the first despatch that was issued from the Foreign Office by the Earl of Malmesbury that noble Earl disclaimed the belief that any insult was intended, or, if any were intended it was pocketed with all the offensive remarks that were made by the French colonels on the occasion. The next matter to which I shall advert was the attempt to deal with the Government of India. I do not mean to argue that the Bill which the Government introduced on that subject would have passed the House, even if they had been in possession of a good working majority. It did not appear to meet with much sympathy from Members on either side; and possibly, therefore, I cannot urge it as a good instance of the results of government by a minority. But this I may say, that if they had possessed a majority, they would at least have shown so much confidence in their legislative power as to bring the Bill forward to a second reading. For the Bill which was eventually carried the Government can claim little or no credit. There was not a Member who took part in the discussion, who had not as much to do with it as the

Government had. But while I am on the Session of 1858 I cannot omit mentioning, nor can I help thanking the Government for that great advance which we were allowed to make in the cause of religious liberty. That which repeated and protracted discussions in this House, repeated majorities in the House of Commons, the declared will of a great constituency, reason and justice—that which, as I believe, all these advantages could not effect, was at last easily—I will not say gracefully—effected by the Government of the Earl of Derby, by the simple process of elevating to the woolsack the most bitter opponent of the Jews. This is not the first time that the Conservative party have been forced to yield long-cherished prejudices and convictions—nay, sometimes the party has been admired the most when they have yielded the most. But let me remind the House that Catholic Emancipation and Corn Law repeal were not assented to in order to avoid an embarrassing vote or petty complications. I pass, Sir, from the remainder of the transactions of that Session. I shall not stop to inquire into the results of that well-meant but most unfortunate attempt to improve the condition and to give contentment to the Ionian Islanders; I shall come to the more engrossing topics which occupied so much of our attention in the course of the last Session of Parliament. Her Majesty's Government brought in a Bill to settle the question of church rates, which I shall not stop to discuss; it is sufficient to say that it did not meet the approbation of this House. They also brought in a Bill to amend the representation of the people. It is not my wish to reopen the discussion on that Bill, but I may say of it that while it obtained more respect it certainly did not conciliate more general support than their previous attempt at legislation on the question of India. I think that the causes of the want of support were to be found in this—that while the Bill made concessions in a popular direction so great as to alienate from it the cordial support of the Conservative supporters of the Government—concessions so great as to deprive the Government of the most valuable support of two of their most respected colleagues, it yet did not go far enough in the popular direction. The concessions it made were too grudgingly bestowed, too much fenced round with obstructions, to secure for the Bill the support of hon. Gentlemen on this side of the House. It was a Bill which seemed to show a distrust of the classes whom it professed to enfranchise—it appeared to be an attempt at compromise between Liberal and Conservative opinions. I believe that the method we took to combat that Bill was perfectly fair and constitutional. I believe that the argument on both sides was conducted for the most part with great fairness; but I must protest against the manner in which some hon. Gentlemen on the other side of the House attempted to force the Bill down our throats by allusions to perfectly extraneous circumstances. We were told that the peace of Europe was in danger from our collisions, and the Chancellor of the Exchequer, in the speech which concluded the debate, said—I quote from memory, but I believe I am substantially correct—he said, "I had hoped that the time was come when I might have come down to this House and told them, that the thunder-cloud which overhung Europe had passed away; but for this unhappy, this unfortunate Resolution of the noble Lord, that might have been." Now I say that the Resolution of the noble Lord referred to the Bill, and to no other matter than the Bill before the House, and if the state of the Government was such that it could bear no attack upon its measures, then it was not the duty of the Government to take that opportunity of attempting to alter the very basis and ground-work of our institutions—a subject which could not be mooted at all without undergoing the most full, and fair, and complete discussion. In spite, however, of this strong language, the Resolution of the noble Lord was carried. It may be granted that there existed great differences of opinion as to the courses which were then open to the Government. No doubt there were circumstances at that time highly favourable to the settlement of the Reform question—circumstances which it is possible may never occur again. There appeared in that debate a remarkable unanimity of sentiment on both sides of the House as to the kind of measure that ought to be passed. The country had fully, and clearly, and temperately expressed its disapprobation of the Bill of the Government, and had also pointed out the kind of Bill which it was ready to accept. No doubt, then, that a great opportunity of settling the question was lost on that occasion; but I hold that it was for the Government, and for the Government alone, to judge what course was most fitting for its own dignity to pursue. It was perfectly competent for them either to go on with that measure or to bring in another Bill, and it was perfectly competent for them to take the course which they did, and to advise Her Majesty to dissolve Parliament; but while I do not deny that that course was competent for them to take, I deny that it was either a wise or a prudent course. Under any circumstances it would have been incurring a grave responsibility to say that a Parliament which was scarcely two years old, and with respect to which there was no reason to suppose that any great differences of opinion existed between the House of Commons and the country—a House of Commons which had shown great moderation, great tact, and great patriotism in the attitude it assumed with regard to foreign affairs—I think it would have been assuming a grave responsibility at any time to dissolve such a Parliament as this; but at such a time, at such a crisis, when the wisest man could not foretell what a day or an hour might bring forth, I say it was an act which I cannot characterize in any other words than as an act of rashness and recklessness. But, further, if the Parliament was to be dissolved, I maintain that it was only due to the country to place the issue fairly and intelligibly before them. I think it was not fair for the Government to abandon their Bill and to treat the Resolution as a vote of general censure, and to make that the ground of appeal to the country. I think they ought to have stated plainly, whether they abided by the principles of their Reform Bill or not. I think it was trifling with the subject to take up the question in accordance with a pledge extorted from them, and then on the first defeat to abandon it altogether, and to leave it to the chapter of chances, whether it would ever be brought before the House of Commons again or not. Then with regard to their domestic policy, I find that the Government has been weakened by the loss of two of its most distinguished Members. I find that they have not the cordial and real support of their own party—[*Cries of* "Oh, oh!"] I should like to ask those hon. Members who cheer so lustily, how many of them defended the Reform Bill on the hustings. I should like to ask them, whether a Member of the Government did not refuse to go down to canvass the constituency of Dovor with the Reform Bill tied round his neck. If that is cordial support, then I do not understand the meaning of the term. I repeat, therefore, that it is doubtful if they have the cordial support of their own party. During their whole term of office they have been unable to pass any measures of importance—[*Cries of* "Oh!"] True it is, that with assistance from this side of the House they have passed some measures, but they have originated nothing; they have lived upon scraps and hints from others, and we now find that they appeal to their foreign policy alone for their justification. They told us, shortly before the dissolution, that they were indispensable to the peace of Europe. A very few days after the dissolution, the aspect of affairs was sufficient to show the nullity of that plea. I will not go into the question of foreign policy before the papers which have been promised shall be laid upon the table; but I say, that, so far as we know, it is impossible not to think that there has been very great mismanagement in the affairs of our foreign policy. England, at the beginning of the year, occupied as proud and as high a position in the councils of Europe as it was ever her lot to enjoy. We were as powerful as ever we were; we had come successful out of the Indian war; we were at peace with the whole world, and I cannot but think that it was then an object of the greatest importance and necessity for any nation in Europe to retain the respect and friendship of England. I think that England was then in a position to speak with authority and power to all the nations of Europe, and it is impossible to conceive how, if the Government had so spoken, the war could have broken out. At any rate it is sufficient for our present purpose that the plea which the Government urged—the plea that they were indispensable to the peace of Europe—has utterly failed. I say, speaking in the state of darkness in which we are kept on this subject, that their conduct, as far as we know it, in the past, is not sufficient to inspire us with confidence for the future. No man can have heard with greater satisfaction than myself the statement that Her Majesty's Government intend to preserve strict neutrality. But the House must recollect that the war which has now begun is likely to spread over the whole of Europe, and that complications may ensue to cope with which will require all the wisdom, prudence, and sagacity of the best statesmen which England can produce. I therefore think that the foreign policy of the Government affords no reason why the judgment which we ask the House to pass on their domestic career should be stayed. Well, then, perhaps I may be expected very shortly to touch upon the consequences which we expect to follow from a successful issue to this Amendment. I have no doubt we shall be taunted in the course of this debate with the divided state of our party. It is not for me to tell the House what arrangements have been already made or what sacrifices we are ready to make, but I believe the House will hear in the course of this debate from the chiefs of each section that the great Liberal party is not so divided as it has been. We have learned a lesson from adversity, and the leaders of all the sections of our party are prepared to co-operate for the advancement of what they consider the good of their country. We have learned, as I said, a lesson from adversity, and perhaps, also, we have learned a lesson from the opposite side of the House. We admire the compact phalanx which we see in front of us, but we do not feel certain that there is not in that party as much difference on matters of principle as in our own. Our differences are, in my opinion, only differences of detail. Well, then, I say our prospects of success are such as to hold out the hope of forming a firm and stable Liberal Government, such as inspires me with confidence to move this Amendment. We shall be told, no doubt, that this is a party move. I admit that it is a party move. I admit that in a crisis of our domestic and foreign affairs, such as the present, I would rather see a party in office which, while it represents most fully and exactly the thoughts and feelings of all educated Englishmen, has at the same time always given a steady and consistent support to every measure of social and political reform. I would rather place power in the hands of such a party than in the hands of a party whose very name and being are antagonistic to all progress. I would rather see in office in this crisis of our foreign affairs the successors and inheritors of that policy of peace and non-interference which was advocated by Fox and Grey than the inheritors of the traditions of that warlike, interfering, and subsidising policy which characterized the Administrations of Castlereagh and Pitt. I admit that in this sense it is a party move; but I deny that it is a move undertaken for the political aggrandizement of any set of individuals. I say that office holds out no great temptations to any statesman at this crisis in the national affairs. With the increase in our armaments, which I suppose every Government will think it necessary to continue, there must necessarily be an increase of taxation. With increase of taxation we shall probably have discontent throughout the country. There is nothing, in truth, but a heritage of trouble for statesmen whatever Government may be in power. This is no field for any but the noblest ambition. I ask, then, the House to decide this question on grounds far higher than those of personal ambition. I ask them to recollect that upon it may hinge the question of peace or war for England. I ask every Member of this House to put this question to his own conscience, and I say that he who does not so answer it will be wanting in his duty to this House, to his constituents, and to his country. I move, Sir, that the following words be added to the Address:—

"But we beg humbly to submit to Her Majesty, that it is essential for securing satisfactory results to our deliberations, and for facilitating the discharge of Her Majesty's high functions, that Her Majesty's Government should possess the confidence of this House and of the Country; and we deem it our duty respectfully to represent to Her Majesty that such confidence is not reposed in the present Advisers of Her Majesty."

Mr. HANBURY said, that he rose with much pleasure to second the Amendment which had been so ably proposed by the noble Marquess the Member for North Lancashire. In doing so, he must venture to observe that he was not actuated by any feeling of personal vanity in assuming the prominent position which he then occupied. He rose with feelings of diffidence to perform the important duty he had undertaken, but with feelings of confidence in the goodness and justice of the cause. He thought that the challenge thrown out by the Ministry at the close of last Session in the Speech from the Throne ought to be taken up, and that the question at issue—whether the Ministers possessed the confidence of the majority of the country, had been fairly and properly raised. He believed that the constituency which he had the honour to represent had answered the question, by not opposing the return of his hon. Colleague and himself. He said by not opposing their return, because in substance they were unopposed, although there was the shadow of an opposition at the last moment by a gentleman who appeared to have no very distinct political opinions, but whose personal qualifications might be summed up in the fact that he had a large family and a small income. He might also answer the question by alluding to the history of the party by which the Ministry was now surrounded, and which had always opposed measures of progress and reform. But he preferred to answer it by a reference to the history of the Administration itself. How had it gained office? By a vote on an abstract Resolution. He was aware that they on his side of the House had been blamed for voting for the Resolution of the noble Lord the Member for London; but surely hon. Gentlemen opposite did the same thing, with only this difference, that the Resolution of the noble Lord went to an essential portion of the Bill itself which it condemned, while that supported by hon. Gentlemen opposite had no relation whatever to the Bill under discussion. He would venture to allude to some of the acts of inconsistency committed by the Conservative Government last Session. In Opposition they had always supported the property qualification; in office they abandoned their opposition and allowed the property qualification to be abolished. When an India Bill was proposed they protested that it would be dangerous to our empire to legislate for India, yet they afterwards undertook to legislate for India, and they did so by bringing in a Bill so absurd and ridiculous that it gained for the Ministry the contempt it deserved, and became the laughing-stock of the country. They were rescued by the Resolutions of the noble Lord (Lord John Russell), and the matter ended by the Government adopting a Bill brought in by another noble Lord (Viscount Palmerston), although it was somewhat marred by the change of hands it had passed through. They had always opposed the admission of the Jews into Parliament. In Opposition they said that it would be interfering with the Christian character of the House if they were admitted; but in power, by means of a shabby form, they admitted Jews to seats in Parliament. He would ask, however, if they believed their admission to be dangerous, why did they admit them at all? If they thought they might sit in Parliament without danger, why did they not admit them handsomely? Then with regard to church rates. The measure introduced by the Government was no doubt well-intentioned, but it was simply impracticable, and tended rather to create confusion and arouse animosity than to settle the question, while it recognized the principle that the Church of England was not a national establishment. Last Session Ministers were supported in office almost entirely by the Radical Members of the House gained by promises of a popular Reform Bill. But what was their Reform Bill? A Reform Bill was wanted to abolish the system of nomination, but their Bill, by its transfer of county votes from the boroughs appeared to have re-introduced the principle of nomination which it was the object of previous Reforms Bills to remove, and it disturbed the public mind by its fancy franchises, while it held that a £10 borough franchise was unalterable. Their excuse for bringing in a Reform Bill, to which they could scarcely disguise their hostility, was, that it had been recommended in the Speech from the Throne; now this again was their condemnation, the Speech from the Throne was always considered the speech of Ministers. If they thought reform essential they ought not to have accepted office, and if they did not think so, for what reason did they bring in a Bill on the subject? All the hopes they had given to the Radical Members as the price of their support were found to be delusive and hypocritical. Then with regard to the dissolution of Parliament, he thought Ministers justly deserved the condemnation of the House for taking a step so unjustifiable at such a crisis. The events that occurred were so momentous, that if Parliament had not been sitting at the time, it would have been summoned at once, in order to give weight to the position of the Minister at the head of affairs, and to entitle this country to respect from foreign Powers. But Ministers dissolved because they had not a majority in that House. He thought it was the universal opinion that the noble Lord who guided our foreign affairs knew as little of foreign diplomacy as he cared for the correct spelling of *attachés*. He was sure it was the universal opinion that the speech of that noble Lord in the other House on the last night of the last Session was marked by hesitation, vacillation, and ambiguity of purpose. How strong a contrast it presented to the words that fell from the noble Lord (Lord Clarendon). With regard to the noble Earl at the head of the Government, his opinions, expressed in the other House at the close of the Session, greatly differed from the views that fell from his lips a few days afterwards at the Lord Mayor's banquet. It was most important that England should have at the head of affairs at the present moment a Minister who was thoroughly acquainted with foreign diplomacy, so as to entitle this country to the respect of foreign Powers, which we had now somewhat lost. The Liberal party, then, had no confidence in the men who filled office. Nor could he believe that any true Conservative could do so. Could hon. Gentlemen opposite themselves approve of such tergiversation as they had seen in their own ranks? Did they approve of the abolition of the property qualification—one of the points of the charter—the conduct of the Government with reference to church rates, and their mode of legislating for India, after they had declared that to do so would endanger the empire, their false promises and mischievous attempts at Reform? So much for the measures of the past Session. He must now allude to their antecedents. They were the men who opposed all the good measures passed during the present century—the success of which had contributed to the prosperity of the country, and had made the people happy, contented, and united. He would ask the most conscientious Conservative what would have been the case if the Tories had prevailed in their opposition to Liberal measures, if Old Sarum had been upheld, and Manchester had been refused municipal and political privileges. There would have been no municipal Reform, no removal of the restrictions on trade, no remission of heavy taxation. The Roman Catholics would still have been oppressed, and food would still have been burdened with taxes. He protested that the party now in power were no longer entitled to the name of Conservative, and that hon. Gentlemen who supported them would be carried down to posterity as followers of the Earl of Derby. As to hon. Gentlemen on his own side of the House, they advocated Liberal measures because they believed in them, and they were the true Conservatives, for it was only such measures as those that tended to the security of the throne and the integrity of the constitution. If the House believed with them that those men were in the wrong, and that it was only by the overruling of their efforts by Providence that the country had been preserved from imminent danger, and if they thought that at this crisis it was of paramount importance that the Government should be united and composed of Liberal men, there would be no difficulty in voting for the Amendment, and thus telling the present Government that the country and the House had no confidence in them, and that the public interests imperatively demanded that they should at once resign their offices.

Amendment proposed at the end of the Question to add the words,—

"But we beg humbly to submit to Her Majesty, that it is essential for securing satisfactory results to our deliberations, and for facilitating the discharge of Her Majesty's high functions, that Her Majesty's Government should possess the confidence of this House and of the Country; and we deem it our duty respectfully to represent to Her Majesty that such confidence is not reposed in the present Advisers of Her Majesty."

Question proposed, "That those words be there added."

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, I find no fault with the course taken by the noble Lord and his friends. I think it one convenient for the public service, and advantageous to the country, especially in the state in which we at present find it. I think it of great advantage that we should know whether the advisers of Her Majesty possess the confidence of Parliament, and I think that we have given satisfactory evidence of the sincerity of this opinion by advising Her Majesty to dissolve the late Parliament. But I would observe, in passing, that when the noble Lord talks of the precedent of 1841 as being identical with the position and conduct of the present Ministry, he will, on examination and reflection, find a very considerable difference between the two cases. It is true the Earl of Derby, from a sense of duty, advised Her Majesty to dissolve the late Parliament, it having been assembled under the influence of his predecessors and opponents, and he, as is well known, counting in it but a comparatively small number of supporters. But what was the conduct of the Ministry that dissolved the Parliament of 1841? They dissolved a Parliament that had been elected under their own influence; they dissolved a Parliament composed mainly of their own friends, and the Resolution Sir Robert Peel felt it his duty should be moved by way of Amendment on the meeting of the new Parliament was authorized by very different circumstances from those at present existing, and certainly met a very different fate to that which, I think, awaits the Amendment moved by the noble Lord. Why, Sir, it was made a just reproach to the Ministry of Lord Melbourne, of which the noble Lord the Member for the City of London (Lord J. Russell) was the leader in this House, that it remained on these benches year after year, for two whole years, after it had received a signal defeat in 1839, and in continued and continual minorities, yet neither appealed to the country nor resigned office; and when it did appeal to the country it was on a vote of censure, carried in its own Parliament by those who had been originally its own supporters. Was that the position of the Government of the Earl of Derby? True, our measures were not successful, and this is not surprising, when it is borne in mind that they were brought forward in a Parliament of which only one-third were our supporters. I doubt whether any measures could have been brought forward, however matured, however happily adapted to the circumstances with which they were intended to cope, that would have been successful in a Parliament so constituted. It was no disgrace to us that our measures could not be carried in a hostile Parliament, but it was a just reason for advising Her Majesty to appeal to the country under the circumstances. Now, Sir, I think I have successfully shown that the position of Her Majesty's present Government is very different from that in which Lord Melbourne was placed in 1841, and which is now appealed to as a justification for the course taken by the noble Lord. But having made that observation in reply to the noble Lord, I again repeat that I find no fault with the course so taken. I have shown my sense of it by rising immediately to reply to the accusations he has made, and I assure the noble Lord and the House that I do so from a sense of the importance of this question, and the conviction that it ought not to be left for a moment unnecessarily in suspense. It is of the highest importance to the public interests that this question should be immediately decided; and I hope by my rising at this moment, at once to meet the charges made by the noble Lord and his Friends, that the House will be enabled to divide on it to-night, and thus settle at this momentous crisis which party indeed possesses the confidence of Parliament. I entirely reciprocate the sentiment expressed by the noble Lord and his Friends, and I undertake for hon. Gentlemen on this side of the House that if we are defeated, the Government by which we are succeeded shall receive from us a fair and constitutional support. But the decision ought not, at this crisis, to be delayed for four-and-twenty hours; and, as the noble Lord and his Friends have thought it the proper course not to lose a moment in challenging the propriety of our being on these benches, so do I impress on the House the importance of not unnecessarily losing a moment in coming to the decision.

Now, Sir, what are the grounds on which the noble Lord and his Friends seek to establish the want of confidence he says this House ought to feel in Her Majesty's Government? For, though it may be in the power of a majority of the House adverse to Ministers to come to a resolution for their expulsion without a reason, still the noble Lord and his Friends must feel that a decision of that kind would lose all moral weight. The noble Lord on the present occasion, no doubt acting on the best advice, has really opened all the grounds on which a Resolution expressing a want of confidence in a Government ought to be moved. I find the first of these grounds to be the failure of our measures in several instances in the late Parliament. Now, I do not think that is a fair ground on which to rest a vote of want of confidence on the part of the present one. Looking at the circumstances under which we acceded to power, and to which I have already referred, it was because we were unsuccessful in carrying our measures in the late Parliament that we advised an appeal to the country. If, therefore, the present Parliament decides on giving a fair and constitutional hearing to any measures we may bring forward, it will be quite unnecessary for this House to vindicate the charge against us of not having been able to pass our measures in the last. But the noble Lord says that, having been unable to pass our measures, we counselled a dissolution of Parliament,—a course constitutional, the noble Lord admits, but in his opinion reckless and unwise. With all deference to the noble Lord and his Friends, I think that is rather begging the question. Whether the dissolution was reckless and unwise is a conclusion for the present Parliament to form. Now, Sir, the noble Lord and his Friends admit that there were two courses open to us after the decision at which the House arrived on the Resolution of the noble Lord (Lord John Russell)—a Motion which the noble Lord at the time did not disguise was intended as one of censure and condemnation. We might have resigned our offices or we might have taken the alternative we ultimately adopted. I do not think, in a constitutional sense, we were bound to resign our offices on being defeated in a Parliament not assembled under our auspices. It is a matter of notoriety that the last House was filled with those belonging to that educated class, that limited but highly favoured Whig connection, of which the noble Lord is an ornament, and who are the hereditary opponents of the political party we profess to represent. Under the circumstances I cannot see how the course we advised Her Majesty to take can be called unwise or reckless. There is nothing in a dissolution of Parliament which the great Liberal party, even if all its sections are agreed, should look upon with jealousy and distrust. I do not know whether the sections of that party who sit below the gangway are of opinion that frequent dissolutions of Parliament are always to be deprecated. That distrust of the people I thought was confined to the "educated" faction. I know the noble Lord the Member for London never hears of a dissolution of Parliament but he rises to condemn it; and that is perfectly in harmony with the political views of the party—the "educated" party—to which we are indebted for the Septennial Act. But I was not prepared to hear that all the re-combined sections of that party are of the same opinion on this important constitutional point—that frequent dissolutions of Parliament are unwise and reckless. But I am very glad the noble Lord, in the manly and promising speech he has made, has limited his objections to the dissolution, to the policy of that course, and has not condescended to intrude upon the House that trash of which we have heard so much with regard to the conduct of the elections, the corruption of the constituencies, and the compacts with foreign Powers and hierarchies. Perhaps the noble Lord thought the subject had been exhausted by a master. Perhaps he thought if he had, without sufficient examination, indulged in such statements, he might have been liable to the replies that followed them when they proceeded from another quarter. Now Parliament has met, I am glad to find that this question is, at least, to be discussed in the spirit of gentlemen, with high party views and on broad constitutional principles. There was a statement that came from a great authority, and which I know exercised considerable influence on the public mind, for it was made at a very *apropos* moment, when it was supposed it would have great influence on the borough elections. I was at that time much engaged, and probably read the public prints with more haste than I ought to have done, but I read that statement because I took an interest both in the locality where it was made and the eminent individual who made it. When I saw in the newspapers the name "City of Carlisle," I naturally looked at what was taking place in that quarter. But reading, I fear a little incorrectly, I confess I did mistake, at the time, the speech which appears to have been made by a distinguished Member of this House for that of the young gentleman that he was introducing to his constituents. When I read that charge upon the Ministry which we were told was to be the basis of a parliamentary vote of want of confidence, when I read statements made without the slightest foundation and with a bitterness which seemed to me to be perfectly gratuitous, I could not help saying "Young men will be young men." Youth is, as we all know, somewhat reckless in assertion, and when we are juvenile and curly one takes a pride in sarcasm and invective. Nevertheless, one could not refrain from an interest in a young relative of a distinguished Member of this House, and, although the statements were not very agreeable to Her Majesty's Ministers, one was glad to recognize a chip of the old block. I felt—and I am sure my colleagues shared the sentiment—that when that young gentleman entered this House, he might, when gazing upon the venerable form, and listening to the accents of benignant wisdom that fall from the lips of the right hon. Gentleman the Member for Carlisle, he might learn how reckless assertion in time may mature into accuracy of statement, and how bitterness and invective, however organic, can be controlled by the vicissitudes of a wise experience. Yes, Sir, the statements made in that speech of the right hon. Gentleman have been circulated in every form, and for a time have been credited in every quarter in this country. The public have really believed that a corrupt Administration has been obtaining returns from the hustings by the vilest means, and for the most infamous purposes. They have believed that the allowance to innkeepers for the billeting of soldiers was absolutely increased at the arbitrary will of a War Minister, in order to bribe the publicans to vote for Government candidates, though every hon. Gentleman in this House must be perfectly aware that their predecessors had passed the Act by which that increase of allowance was constitutionally made, and that the Act had been for some time in operation. The public did believe that barracks were built and contracts given, when contracts were never entered into and when barracks were never built. More than that, the public really did believe that my Lord Derby had subscribed—had boasted, as the right hon. Gentleman says he was informed, of having subscribed £20,000 to a fund to manage the elections. The Earl of Derby has treated that assertion, quoted by the right hon. Gentleman, with silent contempt. All the other assertions made at the time have been answered in detail, and therefore I suppose he thought the time might come when the subject being fairly before the House, he could leave it to me to say for him, what I do say now, that that statement was an impudent fabrication. But what are all these contracts with innkeepers to the compact with the Pope? Next to nothing. Sir, it is not an agreeable duty to have to listen to statements made until Parliament meets by Privy Councillors, by men who have filled the highest offices of state, and, for aught I know, who may be about to fill high offices of state, but upon which the moment Parliament meets, every one is silent. Neither the Mover nor the Seconder of this great indictment of want of confidence condescends even to mention them. And yet the charge is a weighty one. Is it true that the Earl of Derby has entered into any compact or contract, or understanding with any hierarchy in this country, or with any agent of any foreign Prince, to influence the elections of our own country? These are statements which ought not to be made by persons of eminence without some examination. Sir, I state, in a manner the most unequivocal and unhesitating, that there has been no compact of that kind, and that the support that was given in many instances to the Members on this side of the House at the late general election by our fellow-subjects professing the Roman Catholic faith was given, not only without compact and without conditions, but was given without even communication with Her Majesty's Government. I take it for granted that those who supported us under these circumstances, like the other subjects of Her Majesty, had formed their own fair opinion, right or wrong, on public events, on public men, and on public policy. But it seems that the civil and religious liberty granted to the Roman Catholics, especially with the aid of the noble Lord, means civil and religious liberty to vote for Whigs, and to support Whig candidates. The moment a British or Irish subject professing the Roman Catholic religion votes for a Tory, it would seem that hon. Gentlemen opposite meditate the revival of penal laws.

Now, Sir, I have touched upon two grounds upon which this vote of want of confidence recommends itself to the House—this vote of want of confidence in the unusual form of an Amendment to the Address in answer to the gracious Speech from the Throne. First of all, it is said that in many instances our measures failed in Parliament; but that was the very ground upon which a new Parliament has been called upon to assemble. Secondly, it is said that we advised Her Majesty to dissolve Parliament, which, in the opinion of the noble Lord, was an unwise and reckless measure; but that, in fact, is the very question at issue. And now what are the other grounds? What has occurred since the dissolution to justify this Amendment of the noble Lord? The conduct, it is said, of our foreign affairs. It appears that the negotiations which were in progress when the late Parliament was dissolved have proved unsuccessful, and that war between some of the Powers of Europe has ensued. As far as I could collect the drift of the noble Lord—though I must say he showed considerable diplomatic ablility himself in the shadowy manner in which he framed that part of his indictment—there is, no doubt, some foundation for his statement *ad invidiam* that we have been unsuccessful in the management of our foreign relations, and that our negotiations, which had been undertaken to avert war, had not preserved peace. The noble Lord and his friends have a right to the suspicion that the conduct of our foreign relations since the commencement of this year have not been conducted with ability; but surely the only grounds upon which an opinion on that subject can be formed are the ample documents which I am about immediately to lay upon the table of the House. Surely the noble Lord, although he is a party man —and I do not honour the noble Lord the less because he is a party man, for I look upon the existence of party as the best security for our Parliamentary government and for our public liberty,—surely the noble

Lord as a party man will not lay it down as a principle that he and his friends, even if he had a majority, should decide upon the conduct of negotiations without reading and studying the documents which can alone inform him as to the nature of those negotiations? Would the noble Lord, as a party man, say that success is the only test of ability in negotiation, and that the Government that has failed in the conduct of a negotiation to avert war is not worthy to conduct the affairs of this country? Is that the principle upon which the noble Lord would insist? It is the only one left, and probably it is. The war that has recently broken out in Europe was in the memory of every hon. Gentleman in this House preceded by another war. It is only four years since a war took place, not merely between two of our allies, but between this country itself and a great military Power—Russia. Were there no negotiations then entered into to prevent war? Was not the stake infinitely greater and the responsibility proportionately increased when it was our own immediate action that was in question, and our own conduct on the important question of peace or war that was at issue? Well, I want to know who were then the Ministers? We were not responsible for those negotiations. The Government at that time was not a Government in a minority. That was not a Government formed of men of inferior abilities and of deficient experience, as you take every opportunity of informing us that we are. On the contrary, it was presided over by a celebrated European statesman, the Earl of Aberdeen, who had himself assisted in the construction of those famous treaties of 1815, of which we hear so much now-a-days. He had for his Foreign Secretary a distinguished minister who had filled the highest offices in the service of the Crown, and had been ambassador at great Courts. Who is to be your Foreign Secretary now I do not know, but a very distinguished man indeed is my Lord Clarendon. You had then the Earl of Aberdeen and Lord Clarendon, men of admirable ability and experience, to conduct your negotiations. But had you nobody else? Why, there was the noble Lord the Member for Tiverton, who, like Coriolanus, showed his wounds yesterday to the populace, and is an avowed candidate for power. He is of opinion, as some others are too, that he has some knowledge of Foreign Affairs, and he takes every opportunity of intimating that he is the only man who can wage war or preserve peace. The Earl of Aberdeen and Lord Clarendon had the assistance of the noble Member for Tiverton. I will say nothing of the noble Lord the Member for London, because his experience as Foreign Minister is but limited. Well, what did the noble Member for Tiverton, and the Earl of Aberdeen, and Lord Clarendon do in the way of negotiation to prevent the war? Why, the shame of those negotiations is not yet forgotten in England. The State paper of Vienna is not yet entirely blotted out of the consciousness of the people of this country. You had great advantages, and you signally failed; you had a majority in Parliament; you had wise and experienced statesmen; you had a still greater stake to prick you to exertion, and to increase your responsibility, and yet you were utterly discomfited. You had something yet more than we had with our poor means to preserve peace. You had an Opposition numerous and fairly ambitious, but in the midst of your negotiations that Opposition did not bring forward votes of want of confidence, nor propose cunning resolutions to embarrass the public service. We sat there, aided you in your difficulties, and supported you heartily and truly. ["No."] Is there any one can murmur "No"? I defy any man to bring an instance during that war in which we brought forward a single Motion to embarrass you, and when by your general misgovernment and misconduct of the war there arose a public outcry which called for your fall, it was a Member on your own side of the House who struck the blow, and it was by the votes of several sections of the Liberal party that the result was accomplished and you were ejected from office.

So much, then, for the third ground on which this vote of want of confidence is rested. I think I have shown the House that it is one which cannot be urged with plausibility even to the public of Carlisle, which believes in compacts with the Pope, and which credits monstrous assertions about billets being raised and contracts entered into for party purposes, if they are only circulated on high authority. There is still one more ground on which the noble Lord and his friends rest the vindication of the line which they are now taking, and that is the failure of our late measure for the Amendment of the Representation of the People, and the conclusion consequent on that failure of our insufficiency to deal with the question of Parliamentary Reform. Well now, let us consider this point. It is unnecessary on this occasion to vindicate the measure which we brought forward in the last Parliament, but I will state one fact, not upon my own authority, but on that of men of high scientific character, not connected with politics or with parties, whose only object in their researches is to establish and promulgate truth, and that is that our measure would have increased the constituent body by not less than 500,000, being absolutely a larger addition than was made by the Reform Bill of 1832. There were great objections to details, but still details no doubt of importance, urged against that measure. It was said, for instance, that it would disfranchise county freeholders living in towns, that it would enable votes to be given by papers, and other objections were made to it. Admitting, for the sake of argument, that these propositions perfectly deserved the condemnation they received, have no propositions to amend the representation of the people been coupled and connected with propositions which were equally unsuccessful and equally condemned? Why don't we hear of them? Why are we always told of our unhappy proposal to disfranchise freeholders and to give votes by papers? The noble Lord the Member for the City has been in office almost all his life, he has had a monopoly of this question of Reform, he has been handling it and fumbling it as long as I can remember. What then has he done? He has twice brought forward Reform Bills and twice unsuccessfully. He proposed at one time—he, the great patron of the working classes—to disfranchise all the freemen in England. Why should not that proposition be urged as a reason for no longer entrusting him with the preparation of a Reform Bill? In one Bill he introduced a proposition hostile to the very principle on which representative Government is founded, and alien to the spirit of the constitution — representation by minorities. If there ever was a proposition received with universal condemnation that was it. Why should not that disqualify the noble Lord from meddling again with the sacred question of Reform? The noble Lord, who cannot for a moment tolerate Government by a minority, within my memory sat on these benches, and led this House as Prime Minister, in an avowed minority, resting entirely on the counsel and the support which he received from Sir R. Peel. The noble Lord, who is so constant in his denunciations of Government by a minority, himself proposed to change the English constitution, and give representation to minorities at the hustings. I suppose he is the only person who can be intrusted with the preparation of a Reform Bill, because the other noble Lord, the Member for Tiverton, does not like the subject at all. It is one to which he does not conceal his disinclination. We, who, at least, have prepared and introduced a measure which would more than have doubled the constituency of the kingdom, are never to be allowed to give our opinions on a measure of this kind, while the noble Lord, who scarcely conceals his opinion that all Parliamentary Reform is a bad thing, and who tells you that if you are to have it you shall have as little as possible, is the popular candidate for the command of what we were told yesterday are now "the united sections of the Liberal party." I congratulate the hon. Member for Birmingham (Mr. Bright) on the lamb-like manner in which he abdicated those portentous opinions which awhile ago frighted the island from its propriety.

I have now gone over the five grounds on which the noble Lords and his Friends rest their case for a verdict of want of confidence in the Ministry. I have shown to the House that the argument founded on the failure of many of our measures in the last Parliament is, if anything, one which should rather be urged in favour of a verdict of confidence from this Parliament, because, as it was in consequence of the late Parliament not sanctioning and supporting our measures that a new Parliament was called, we have a right to count upon the constitutional confidence of the House of Commons in that respect. I have shown to the House that the charge founded upon the "unwise and reckless measure of dissolution" rests on no substantial foundation, and I have shown incidentally that the charges which, during the recess, have been industriously bruited about as grounds for requiring a public investigation, and for passing a vote of want of confidence, are fabrications, without a tittle of evidence, and are entirely undeserving the credit of any sensible man. I have, I hope, shown the House that to pass a vote of want of confidence in us because our negotiations have failed to preserve peace would be so flagrantly and manifestly unjust, when you have no documents on which you can found an opinion, and when those documents will immediately be in your hands, that I cannot believe that even hon. Gentlemen opposite can rest their vote upon that ground. I think I have shown the House also that if our unfortunante treatment of the question of Parliamentary Reform has been such as to disqualify us for the confidence of the House, the noble Lord our predecessor in that enterprise is not more entitled to confidence upon that subject, and that the other noble Lord, his rival or his colleague—I know not which—is not entitled to the confidence of the House upon that question in the slightest degree; while the hon. Member for Birmingham by his prudent retirement from public life is now entirely out of the question. Having made these observations in reply to the noble Lord the Member for North Lancashire (the Marquess of Hartington), I hope that the House will not think it intrusive if, before I sit down, I venture to say something upon the character of the gracious Speech, and upon the intentions of the Government. There are two main topics in that Speech which greatly interest—though perhaps at this moment not equally — the public mind. The first is with regard to the policy which we shall pursue in our foreign relations, and the next is with respect to this very question of Parliamentary Reform. Now, Sir, the gracious Speech, and the Address which has been moved with so much ability by my hon. Friend behind me, clearly and unequivocally state our policy with respect to the first subject. We have endeavoured in every possible manner to preserve peace. I shall be happy and ready when the time arrives, and when the papers are in the hands of hon. Members, thoroughly to vindicate the conduct of the Government on that head. Indeed I challenge inquiry, and all I ask is that the House shall not decide upon a question so momentous in the absence of all documents, and when it is impossible that any one can treat it with any general satisfaction; and if I make one or two observations upon the point it is only because the subject has been introduced and enforced by the noble Lord, and because I wish to correct one or two most erroneous impressions which appear to exist. It is my opinion, and I say it with no wish now to renew any controversy on that head, but I repeat that I retain the opinion which I expressed in the late Parliament, that the vote at which the House arrived on the Resolution of the noble Lord the Member for London had a serious influence at that moment on our negotiations. I shall be able to prove it, but I only allude to it now in vindication of myself, because the noble Lord the Member for North Lancashire has introduced some observations upon it. I said at that time, and I repeat now, that that vote destroyed all authority on the part of the Government of this country as a Government; but it did not destroy all our influence with the Emperor of the French at that time, because, although as the mere Government of England we had no authority, we yet did represent a principle which greatly regulated the conduct and influenced the feelings of the Emperor of the French. The Emperor of the French was governed at that moment, and had been, and generally is, by public opinion. The opinion of France was against war; the opinion of England, which he esteems only next to that of France, was against war; the opinion of enlightened Europe, I may say, was against war. Therefore, though our authority as a Ministry had ceased, yet, representing that principle of public opinion which the Emperor recognized, our representations were still listened to with respect, and upon that ground, notwithstanding the vote which the House came to, we still could influence, as we did influence, the conduct of the Emperor of the French. But as regards Austria, from whom neither the noble Lord nor ourselves anticipated at that moment the immediate mischief, she was not at all influenced by public opinion. With Austria, therefore, we entirely ceased to have any authority, being a Government condemned, and she laboured under the conviction—no doubt, an unjust conviction, though so far as negotiations were concerned it operated as a positive fact—that our immediate successors would be a Ministry favourable to war, and to war directed against herself. Therefore it was that Austria, not caring any longer for the influence of the English Ministry, whom she looked upon as a dead body, and caring nothing for public opinion, which still influenced the conduct of the Emperor of the French, took the rash and unfortunate step which every one must now deplore. In this sense, then, I contend that I was perfectly justified in the statement which I made, and it will be seen at the proper time, in the course of future discussions, that it was a perfectly authentic statement. The House will allow me also to notice one more point, which is personal to myself. It has been charged against me that on the eve of the dissolution of Parliament I made a statement respecting the then state of our negotiations and prospects, favourable to peace notwithstanding the immense intervening difficulties, and even the fact that war then was more than imminent. Now, I beg to state to the House—and I dare say the circumstance may easily be recalled to many hon. Gentlemen who were Members of the late Parliament—that it so happened that a few moments only before I rose to make that statement a telegram arrived from Lord Cowley, which was immediately forwarded to me here, informing us that the Emperor of the French had entirely adopted the principle of disarmament before the Congress, which was one which Austria had insisted on as the foundation of a satisfactory settlement. And not only that, but that Count Walewski had that moment telegraphed to Sardinia, urging her, in a manner which he felt she could not resist, to accept the same principle. Was I not justified, then, under the circumstances, in assuring the House that there was still a prospect of peace before us? Was I not further fortified in that assurance when, the next day, a telegram arrived from Sardinia, accepting that proposition, which it was supposed to be impossible that she could agree to? Having ultimately failed, however, in those negotiations to preserve peace—and, as I hope I may say, with no discredit or dishonour to our counsels—what is the course that we have pursued? We have adopted the principle of strict and impartial neutrality; we have endeavoured to act in the spirit of that principle, and I treat with utter contempt, because I feel it would be impossible to offer a shadow of proof in favour of the monstrous statement, that in the course which we have adopted or the counsels we have given, we have ever had either an Austrian or a French bias. And I believe that the sincere feeling of both those Powers, irritated as they must be by the position in which they find themselves, is to do us complete justice upon that subject. But, of course, though the policy of strict and impartial neutrality is demanded by the interests of this country, and is, I am sure, sanctioned by the public voice, we have felt it our duty to place Her Majesty, by her command at sea and by the completion of her armaments, in such a position that her authority will be felt and fully recognized. I maintain that in those increased fleets and armaments we have not the indications of coming war, but the probable securities for continued and renewed peace; because, watching events, encouraging and fostering friendly relations, we may interfere, with other neutral Powers, at the right moment, and may yet attain, at a date much earlier than I think is too hastily adopted by the world, the restoration of that great blessing, of the value of which, from the experience of the last half century, this country is more conscious than it was in former times. That, Sir, is our foreign policy. I do not suppose that any one will challenge it on principle; and as to the means by which it should be carried out, I will again repeat that it is only by an examination of the ample evidence to be laid before you that you can form an adequate and fair opinion. And, notwithstanding the party character of this Motion, I do not feel that a vote of want of confidence can ever be arrived at against any Ministry in this country when the documents in explanation of their policy, and which are promised in Her Majesty's gracious Speech, have not been laid before the House.

Now, Sir, I will treat with as little reserve of the other principal topic referred to in the gracious Speech—Parliamentary Reform—although it may not be so interesting on account of the course which we have intimated that we intend to pursue with regard to it. I say at once that it is the opinion of Her Majesty's Government that it is impossible during this Session satisfactorily to deal with that subject. Of course, the language of the gracious Speech is different from that which, according to the practice of this House, can be used by a servant of the Crown; but I now take no refuge in ambiguous phrases, telling the House that if certain business of great urgency can be disposed of, we think that there is a chance of dealing with the great question of Reform this Session. We are of opinion that there is no such chance, and if that be considered by any hon. Gentleman as a fair ground for censuring the Government we are ready to meet that issue. If it really be the opinion of grave and responsible statesmen in this House, that in the present condition of this country, in the month of June, with measures of finance of the gravest character, with measures connected with the defence and armament of the country of the greatest urgency, to be brought forward, we can enter into a rash and reckless engagement to deal with the question of Parliamentary Reform, I shall be certainly astonished; but if our opponents take that view, I must ask the House to join issue with them, and give a decision which I trust will be dictated by temperate counsels and good sense. But although that is the course which we feel it our duty to recommend the House to adopt during the present Session, we do not in any way wish to shrink, as advisers of the Crown, from the responsibility of dealing with this question. Now, even although it may offend the noble Lord the Member for the City, I must say, as I have said before, that I cannot admit that the question of Parliamentary Reform, or any great question which ought to be dealt with in this country, should become a political monopoly. I do not recognize the convenient dogma, now circulated, that great questions interesting this country, and more especially its domestic condition, are to be touched and treated only by one particular favoured, even though "educated" section. I think it would be very dangerous to the country that we should adopt the principle that any party which can be called to the administration of affairs should consider themselves shut out from dealing with any great question of public interest. If they do so, they are unfit to sit upon this bench of severe responsibility, and must take office under conditions injurious to the public service and the public interest. I do not want to enter into an historical disquisition upon the justice of this favourite theory of the noble Lord; but I do not find that in history Parliamentary Reform has been the particular privilege and property of the "educated" section. I know very well that Mr. Pitt did not belong to the "educated" section, but he was a Parliamentary Reformer. The Duke of Richmond was, I think, not one of the "educated" section, but he was a Parliamentary Reformer. I know many other illustrious men who at different times within the last eighty years have given their opinions in Parliament upon this subject, and very few of them have belonged to the "educated" section. I admit that the "educated" section has during the present century had a very fine opportunity of dealing with this question, of which they availed themselves with great policy and adroitness. I give them credit for the manner, for the statesmanlike manner in which they dealt with it, but I do not acknowledge their monopoly. I do not acknowledge the peculiar privilege which the "educated" section is so ready to assert. I observe, also, that until very recently the "educated" section has not, since 1832, shown any very great enthusiasm on the subject. I think that the other sections of the Liberal party, which I suppose are not to be considered "educated" sections, have shown much more sincerity on the subject than the "educated" section itself. I say, Sir, that we have a full and fair right to deal with this question; and what is more, I believe that as a party we can deal with it more advantageously even than the "educated" section itself. Now, Sir, I need not vindicate the measure which Her Majesty's Government brought in last Session in comparison with the measures of the noble Lord. That I have done; but I must say this for Her Majesty's Government, that they do not consider themselves bound in the measure they contemplate proposing by the measure which they brought forward in the last Parliament a bit more than the noble Lord considers himself bound by the measures which he has introduced. We all know that the subject is one of immense difficulty. I cannot agree with the noble Lord (the Marquess of Hartington) when, in exception to his generally temperate remarks, he seemed to deny that Parliamentary Reform could become a matter of compromise between Conservative and Liberal opinions. No measure of Parliamentary Reform can be passed, or ought to be passed, which is not a compromise between Conservative and Liberal opinions. Of course, it is very easy for a demagogue to say, "This is the only scheme of Parliamentary Reform that I will agree to," because he does not want it to pass, and never thinks it will pass; but those who deal with the question like men of practice, and who, like the noble Lord the Member for the City and his Friends, mean to pass measures, could never tolerate the principle laid down by the noble Lord the Member for North Lancashire, that Parliamentary Reform or any other great measure should not be a compromise between Conservative and Liberal opinions. The happier the compromise the more successful will be the measure; and the great aim of whoever is to carry it must be to bring forward a large, enduring, and satisfactory measure, which, on the whole, the great parties in the State will agree ought to pass. In dealing with this question last Session we dealt with great boldness with the question of the county suffrage. It is very well to deride our labours, but I believe that the country takes a view of them very different from that which the noble Mover of the Amendment has been instructed to express to-night. I believe that the country does justice to the large measure which we proposed with regard to the county franchise, and recognizes the difficulties which we had to deal with it. I know that more than once it has been described in the great popular organ, of which hon. Gentlemen opposite are very proud when it says anything to their praise, as "the most enormous concession that was ever made," and therefore the contemptuous language with reference to it which it has been thought convenient to adopt in this House will never receive the sanction of the country. The question of the county franchise had been frequently and maturely discussed in this House. We made a proposition, and we met many objections which we thought might be urged to it, by countervailing proposals, modifying and mitigating its application. However you may object to them, they were, after all, only conditions mitigating or modifying our original proposition. The question of the borough franchise was not in that condition of maturity. Until the last great debate, that question has never been thoroughly grappled with in this House. It has never been brought forward by persons of any eminence, nor has it at any time attracted or commanded much attention. Well, in that direction we proceeded very cautiously, as you must do with that part of a subject for which the public mind is not so ripe as for the other. By our measure we proposed to introduce the middle classes to their share of the county constituency, and the working classes to their share of the borough constituency by means of a variety of franchises. I am perfectly ready to admit on the part of the Government that that proposition was not favoured by this House, nor was it sufficiently favoured by the country to be one upon which we can insist. The question of the borough franchise, however, must be dealt with, and it must be dealt with, too, with reference to the introduction of the working classes. We admit that that has been the opinion of Parliament, and that it has been the opinion of the country, as shown by the hon. Gentlemen who have been returned to this House. We cannot be blind

to that result. We do not wish to be blind to it. We have no prejudice against the proposition. All that we want is to assure ourselves that any measure that we bring forward is one required by the public necessities and will be sanctioned by public approbation and support; and therefore we are perfectly prepared to deal with that question of the borough franchise and the introduction of the working classes by lowering the franchise in boroughs, and by acting in that direction with sincerity; because, as I ventured to observe in the debate upon our measure, if you intend to admit the working classes to the franchise by lowering the suffrage in boroughs, you must not keep the promise to the ear and break it to the hope. The lowering of the suffrage must be done in a manner which satisfactorily and completely effects your object, and is at the same time consistent with maintaining the institutions of the country. So, I maintain, that not merely with regard to the borough franchise,—not merely with regard to the suffrage of the working classes,—but with regard to the whole question of the redistribution of seats, we are not bound by the proposition which we made last year, any more than the noble Lord is bound by the several propositions which he has made. I have two measures of the noble Lord which are perfectly distinct as regards the distribution of seats; one in which I find a proposal in favour of grouping, and in the other in favour of absolute disfranchisement. I find in one a scale of disfranchisement totally different from that one which the noble Lord promulgated upon the eve of the general election. Why are we, in dealing with this question, to be precluded from the same freedom and the same Parliamentary privilege as the noble Lord and his followers? On the contrary, Sir, I maintain that we are perfectly free to deal with this question as we think is best for the country. It is, in our opinion, best for the country that a measure of Parliamentary Reform should be brought forward which is of as conclusive a character as human circumstances will admit of. To obtain that result it must meet all those fair demands which are now recognized, and which the opinion expressed by the general election has stamped with public approbation. I say nothing as to the form in which that public sentiment may be developed—of course, I will not speak in detail of a measure not now to be brought before the

House—but I claim for Her Majesty's Government the right to deal with the question of Parliamentary Reform, not fettered or hampered by the proposition which they made in the last Session, any more than the noble Lord has been by his own proposals, but at the same time I assert our intention to deal with it in a large, liberal, and conclusive manner.

I have now, Sir, ventured to touch on all the points on which the noble Lord the Member for North Lancashire has based his grounds for a vote of want of confidence. I think I have shown to the House that they are flimsy, and feeble, and illusive—that the noble Lord has not entered into that detail or established those principles that could justify this new Parliament in coming to so grave a decision. I have ventured to point out to the House the principles on which our foreign and domestic policy are established. Our foreign policy, notwithstanding what has occurred, will continue to be founded on peace as the great principle we mean to encourage, and our domestic policy on the principle of progress. Upon these principles our policy will rest, and we ask from this new House of Commons nothing but a constitutional confidence. We do not pretend to possess, and we do not aspire to possess, the obedience of disciplined legions, who, to use the expression of an eminent Liberal, are ready to vote that black is white to support a Government. That is not the kind of support we seek to obtain ; but we believe that we do possess the constitutional confidence of this House, and that it will not take the earliest opportunity, on grounds so frail and flimsy as have been stated, to consent to adopt one of the gravest Amendments that can possibly be offered—namely, an Amendment on the answer to Her Majesty's gracious Speech, and which declares that the House has no confidence in the advisers of the Crown. Now, Sir, after this analysis—this frank and full analysis of the charges against the Ministry, and this explicit declaration of the policy that we intend to pursue, and on which our measures will be founded, let me ask the House, what does all this end in ? It ends in a personal question. I do not object to that. I do not pretend for a moment that in the British Parliament we should avoid such questions. It is possible that our policy may be a sound policy, but that those who are carrying it on are incompetent, and therefore I admit that the personal question is a fair ground to take up on a vote of want of confidence. I will not, therfore, shroud myself and my colleagues under our measures or our policy ; I will meet the objections which may be raised on the ground of personal efficiency. This is necessarily and naturally the most delicate and embarrassing thing which a man can be called on to do ; but we have to do many things in this House that are embarrassing, and to meet many difficulties that are delicate, and I will not shrink from this the most difficult part of the duty which I have to discharge. In old days, in the good old times, I should have had no difficulty in judging who were our rivals and who were to be our successors. I might look to the bench opposite and there see the noble Lord the leader of the Opposition and the distinguished colleagues of his former Administration and of his present cares, and without any great personal arrogance, and without any intrusion of egotistical pretensions on the part of myself and my colleagues I might carry on some comparison between the two bodies, with reference to the noble Lord's late Administration and his late acts, his general conduct and his final failure. I might, as they did in those days, say the best I could for ourselves and the worst for them. But then we no longer live in those good old constitutional times. I hardly know who are our rivals, still less do I know who are to be our successors. If it is the noble Lord and his friends I might contrast his policy with ours, his failures with ours, and make out a case upon which the House might adjudicate. But then the noble Lord, who lives not in the good old days of constitutional rivalry, but in the days of reconciled sections, will tell the House, "You cannot judge of my resources by the hon. Gentlemen who are sitting near me ; others will come to my aid, and by their unquestioned abilities, and their varied experience, and with the bright evidence of their triumphant careers I shall form an Administration which will put you out, as the glorious sun does a farthing rushlight, and the whole country will immediately see that they have a strong Government, entitled to their confidence." The noble Lord is, we understand, to receive great assistance from below the gangway. Let me look below the gangway. I see there two of the most eminent Members of this House, who have long and frequently been servants of the Crown, and who I know are taking a very active share in meetings and proceedings out of the House. In the days of our youth Willis's Rooms were managed by patronesses. The distinguished assemblies that met within those walls were controlled by a due admixture of dowagers and youthful beauties—young reputations and worn celebrities—and it was the object of all social ambition to enter there. Now Willis's Rooms are under the direction of patrons, and there are two of those patrons below the gangway. They are the noble Lord the Member for the City of London (Lord J. Russell) and the right hon. Gentleman the Member for North Wiltshire (Mr. S. Herbert), who have signed the vouchers for the reconciled sections. They are two of the eminent statesmen who are to form this strong Government before whose claims and abilities we are to pale and be extinguished. Well we have some experience of those great statesmen. We know how the noble Lord conducts negotiations. We know how the right hon. Gentleman conducts war. You say that we have failed in our negotiations, and that we cannot be trusted in the event of possible war. Well, then, the noble Lord and the right hon. Gentleman won't help you much. Sir, I cannot presume to pursue the research. There was a time when I thought the burley eloquence of the hon. Member for Birmingham (Mr. Bright) might have been heard on the Treasury Bench; but it would seem he has yielded up those claims which once were vindicated with that uncompromising eloquence that all admire, and some fear. I do not know whether, if we were at war, the hon. Member for Birmingham would pursue it with the same vigour with which he engages in domestic quarrels at home. I am not yet satisfied where the materials of that Government that is to conduct negotiations with such ability, and prosecute war, if necessary, with such vigour, are to be found. So far with regard to the personal question as to those still in opposition. With regard to this side of the House, I can say with sincerity—and I am sure I speak the sentiments of all my colleagues—that I have never for a moment put forth any personal claims to stand in the way of others taking their places on this bench, more willing and more able to advocate the views of their party and to serve the Queen. I say for myself and for my colleagues that we should not for a moment consider it a personal sacrifice, but that we should rather consider it a personal duty to retire from the positions we fill in the Government if any Gentlemen on this side care to challenge them and to fill them. I have at all times—and what I say is well known to many hon. Members—been so anxious to see the efficiency of the public service studied and the interests of a great political party, the existence of which I believe to be advantageous to the country, preserved, that I have ever been ready to waive my own personal claims. As to charges against us of incompetency, so far as the other side of the House is concerned, I have not yet evidence that it would be supplied to the satisfaction of the country. So far as this side of the House is concerned, rivals may arise, and I have only to say, that if worthy, they will be cordially welcomed. No doubt it is much to be regretted that from the great dislocation of parties in this country, and the peculiar state of things that has obtained in this House, the area of selection for the public service is far more limited than I, for one, could desire. But that, Sir, is not the fault of the party who fill these (the Ministerial) benches. Whatever may be the fault of the Tory party, it is not a federation of great families. The Cabinet of the Earl of Derby, whatever its faults, was not established on an exclusive basis. Wherever there was ability it was recognized, and if all could not be placed in the positions they were competent to fill, every one on these benches was conscious that men were preferred because they were thought to be worthy of the offices conferred upon them. If, then, there is no ground to believe that any body of men on the other side of the House more competent to carry on affairs are ready to take our places; and if on this side of the House the state of feeling be what I have described, and that competent men are ever sure to be cordially received and supported, I am not sure that the country would gain much by the return in any combination and in any form of noble Lords and hon. Gentlemen opposite. I have seen for a long time with satisfaction a tendency in this House to increase the area from which individuals may be selected for the public service. The more you settle those long controverted questions which have for years embarrassed and embittered the legislation of this House, the more you will remove the obstacles to that great result. If this question of a Reform of Parliament were settled—and after all it is a question on which all men may agree, with few exceptions—I see no obstacle any longer to an expansion of the area from which individuals may be selected for the service of Her Majesty's Government. On this side of the House there is no prejudice of the kind which may have prevented many a worthy Member from filling his proper place under the Government of an "educated" section. Provided we are agreed on the main line of policy, the only object we desire on these benches is, that the ablest men on all sides may be so employed, and the tendency of our legislation for many years has been to remove those difficulties —often only conventional difficulties — which prevented the adoption of that more increased area of selection to which I have adverted. I hope, in the course of time, if we are so deficient, as we are told we are by our rivals, known and unknown, that others without that necessary change of sides which seems to some so advantageous to the common weal, may be attracted to our standard by the recognition of their merits, and by the feeling they are dealing with a party who repudiate that exclusive principle which may prevail in other quarters. I trust, therefore, the House will not hastily adopt the Amendment which has come from one who, though I wish to speak of him in terms which his first effort in the House to-night fairly deserves, represents exactly that limited and exclusive party who so long adopted as the chief principle of its politics, that federation of great families as the only source from which the public service could be recruited. The course they have taken to-night has been, I think, a too eager one. I think it would have been as well if they had paused and taken another occasion than the Address to the Crown. But I do not complain of it, and on this ground. It is of paramount importance at this moment that the decision of this House should not be delayed. I speak with the most solemn conviction of the truth of what I am stating. I know that when I adverted to that subject at the beginning of my observations there were some ironical cheers from some unknown quarter. All I can say to the individual, or individuals, from whom those exclamations escaped is, that they are at least relieved from the great responsibility which rests on the advisers of the Crown. It is of paramount and vital importance that the decision of this House should not be delayed, if possible, for four-and-twenty hours. Why should you seek to delay it? Does not every Member of this House fully comprehend the issue? It is not merely for the advantage of the public service; it is for the advantage of the kingdom and for the best interests of the Crown and of Europe that this question should be settled, and settled immediately. If it is decided against us, I shall accept that decision without a murmur. If I sit on those (the Opposition) benches, I shall give our successors, and my colleagues will do the same—I am sure I may answer for all who honour me with their confidence in this House—we shall give to our successors—provided they pursue a constitutional course in home affairs, and with respect to foreign affairs evince all that zeal and devotion which circumstances require—that support which every patriot is proud to afford to the Ministers of the country when a great emergency prevails. But if, on the other hand, this new Parliament shall be of opinion that the Amendment which has been brought forward to-night is not one that is just, or justified, on us will remain, both as regards our domestic, but especially as regards the management of our foreign relations, as great a weight, as grave a duty, as awful a responsibility, as ever devolved on the shoulders of any Government; but from that duty and from that responsibility, however grave and however awful, we do not shrink.

Viscount BURY said, a grave responsibility rested at that moment upon the House. Her Majesty had been pleased to address them in a Speech, the terms of which, under ordinary circumstances, he should not, for one, have found fault with, and in the sentiments of which he could generally have concurred. It nevertheless derived great significance in consequence of the circumstances under which it was addressed to them, and it behoved them gravely and dispassionately to consider those circumstances. They ought to recollect the pledges which they had so recently given on the hustings throughout the country, and there was no reason why they should not give an independent assent to the Amendment rather than support the proposition of the mover and seconder of the Address. There was no charge against the Ministers of the Crown—there was no direct charge brought against them—but they must all remember the circumstances in which the country was now placed. A dissolution had taken place by the advice of the Government—at their instance—and according to the words which had been placed in the mouth of Her Majesty, the object of that dissolution was that the country might have the benefit of a Ministry possessing the confidence of that House and the country. That was the issue raised by the Government, and he thought they were quite right in not shrinking from the result. The House ought, however, to be relieved from the imputation that this was a factious and improper move. That was not the fact; they had merely taken the earliest opportunity of bringing the question to an issue. He was not actuated by any factious motives whatever in the vote he should give at the conclusion of this debate. The question put to the country was one of confidence or no confidence in the Government of the Earl of Derby, and the country had decided in the negative. But if the Amendment of his noble Friend should not be successful, he (Viscount Bury) should feel it his duty to give Her Majesty's present Ministers no factious opposition, but, on the contrary, would endeavour to strengthen their hands in the great crisis in which the country was placed, for the purpose of upholding the honour of England. The matters of domestic policy and Parliamentary Reform adverted to by the right hon. Gentleman who had just sat down were not the questions upon which he (Viscount Bury) would rest his opposition that night. The question upon which the Government were beaten last Session was the Reform Bill, and no sooner had they been defeated than they advised Her Majesty to dissolve Parliament, and they placed the dissolution, not on the question on which they had been beaten, but on the question of personal confidence in themselves and the Earl of Malmesbury. As had been stated by his noble Friend who moved the Amendment, not one of the supporters of Government, not even the right hon. Gentleman the Member for Bucks himself, whose address served as a cue to the cry of his party, had the temerity to say on the hustings that their conduct on the question of reform was a reason why the country should have confidence in Government. He would further remark, that in the Speech delivered from the Throne that day the Government most carefully avoided pledging themselves at any time to bring forward a Reform Bill. That Speech stated that Her Majesty would be ready to give her assent to any well-considered measure of Reform. For these words, of course the Ministers were responsible; but he observed no pledge or assurance that the Government would even next Session bring forward a measure of Reform. The Chancellor of the Exchequer urged at considerable length that Ministers were not precluded by their position from bringing forward a measure of Reform, and that because the noble Lord the Member for the City had not carried some measures of Reform in which he had been engaged—the right hon. Gentleman urging that the present Ministers had as good a chance of bringing forward a measure of reform as the noble Lord the Member for the City. He (Viscount Bury) denied that. He was very much mistaken if any Reform Bill which the present Government were likely to introduce would be so satisfactory as a measure introduced by the noble Lord, because that noble Lord had devoted a great portion of his life to that question, while it was notorious that until circumstances forced it upon the present Government they were always enrolled amongst those who, no doubt conscientiously, opposed it. He would not detain the House on the question of Reform, though, from the strong feeling expressed on it by his constituents, he could not pass it over. In the present crisis, however, he thought that the question of our foreign policy was even of more importance than any question of domestic policy. He was one of those—who, he believed, formed a large majority in this country—who were in favour of complete and absolute neutrality during the present struggle. The Earl of Derby at the close of last Session addressed the House of Lords in a very remarkable, and, in one sense, a very statesmanlike speech. He expressed an opinion that the war then on the point of breaking out would be a very sanguinary one, and could not be long confined within the narrow limits of Italy, and he uttered an expression which he (Viscount Bury) thought calculated to fill England with alarm, because although he said it would be the duty of England at present to preserve a strict neutrality, yet, at the same time, he intimated his opinion that if the war went on there was a chance, and a not very distant chance, of England being dragged into the struggle. He (Viscount Bury) believed they were all agreed that it was most desirable to avoid such a catastrophe as that, and that the supreme adviser of the Crown could not, under any circumstances, find himself in such a position as that this country should be dragged into war unless he wished it to be so. On the 19th of last April, the Earl of Derby used this language:—

> "If war breaks out, whatever may be the consequences, our neutrality, as long as it may last, must be to a certain extent, an armed neutrality, enabling us to take our part on that side, whichever it may be, that the honour, the interests, and the dignity of this country may indicate as the best deserving of our support."

Now, he could not help thinking that there was a feeling in the Earl of Derby's mind, and if so, it was only in accordance with the traditions of the great Tory party to which he had allied himself—that it was not impossible that the question of war might be presented to his Cabinet in such an aspect as to justify him in plunging into all its horrors. He (Viscount Bury) might be permitted to doubt then whether to such a man the preservation of our neutrality ought to be entrusted. And it was not alone that noble Earl to whom these sentiments were confined. Other Members of his Cabinet had expressed similar opinions in equally forcible words. The First Lord of the Admiralty, the other day, at Worcester, said the war would most probably be too long protracted for England to preserve her neutrality. When, therefore, he heard one Minister of the Crown, before the war broke out, and another after it had commenced to rage, asserting that they saw ahead of them a position of affairs which would prevent our neutrality, he could not help saying that it was not to such men that the safety of England could be properly committed. There was another point to which he wished to advert, that was the leaning which the councils of England, under the present Ministry, must be supposed to have. A strict neutrality which manifested a leaning to one side or the other was a great absurdity, and he must say there were circumstances in the conduct of our Ministers which showed a leaning to the side of Austria. Look at the case of Tuscany. The Grand Duke of Tuscany was one of those Sovereigns who were under the protection of Austria, a man who could always say to his subjects, "If you refuse to obey me I can send for 20,000 or 30,000 Austrians to compel you to obey me;" and therefore he was obnoxious to Italian liberty. That man was deposed by his subjects and a republic was proclaimed. Now, the Earl of Malmesbury, in reference to revolutions abroad, had said, "We accept the revolutions which they bring about by their own hands, we recognise their *de facto* and not their *de jure* Governments." He should like to know whether in the case of Tuscany the Earl of Malmesbury had acted up to that declaration. After a republic had been proclaimed in Tuscany, an English man-of-war went into the port of Leghorn, and refused to salute the flag of the Republican Government. There were as yet no papers laid before Parliament on the subject, but they knew from the public prints—and he believed the public prints were not misled—that a remonstrance from the Minister of a Foreign Power to our Foreign Minister was answered to the effect that we were not in a position at present to recognize a Republican Government in Tuscany. If we were not, then he (Viscount Bury) said our ship-of-war ought never to have gone into that port, because that was an insult to their nationality, and he could not but think that by refusing to salute that flag our Government showed a tendency towards Austria, and showed an unwillingness to recognize a revolution made by their own judgments and their own hands. If we were to be dragged into a war, for what were we to fight? Not, he hoped, to keep up that old and effete farce, the balance of power, or to preserve the Treaty of Vienna, which simply embodied the results of twenty or thirty years' war. Surely it could not be to keep up that worn-out Treaty; and yet, from what had fallen from the Earl of Malmesbury, it would seem that his Lordship thought the maintenance of that Treaty was the *sine quâ non* to the well-being of Europe. The Treaty of Vienna was a thing of the past. Until it had been systematically violated, as it had been in the last few years, we might have been bound by it; but we had broken it, and every other nation had broken it whenever it was their interest to do so. It was broken in 1830, when Belgium was separated from Holland; it was broken in 1846, when Austria took possession of Cracow, and annexed it to her dominions; and it was being broken now by England, which, with other powers, agreed by that Treaty to prevent, if she could, by the use of all her forces, the establishment on the Throne of France of the Bonaparte family. All those acts were a direct violation of the Treaty. In the speech of the Earl of Derby, to which he had already referred, that noble Lord had said, that

> "The Government of Vienna is willing, and

would even regard it as a friendly act, that France and England should enter into an agreement that Piedmont should be guaranteed for a considerable time from all intervention."

So that if the plucky little kingdom of Sardinia had not stood out from that arrangement we should have been involved in this unhappy war. He very much doubted, therefore, the sincerity of the Derby Administration in advocating neutrality, and, since they were not to his mind favourable to a real neutrality, he was not disposed to entrust the conduct of our foreign affairs to their hands. It was not because they had failed to preserve the peace of Europe that he found fault with them, it was because they had failed to secure the absolute neutrality of England. England was in such a position that it was impossible she could lose caste in the world by refusing to take any part in the struggle. The events of 1848 proved this. England did not suffer any loss of prestige in consequence of her policy of non-intervention, and he hoped she would steadfastly refuse to be dragged into the present European conflict. For that purpose he would rather entrust her destinies to those whose traditional policy was that of peace than to those who had always shown themselves to be the reckless advocates of war.

Mr. MELLOR said, he thought it was absolutely necessary, under the circumstances under which the new Parliament had met, to recall to the recollection of the House the state of things which preceded, and in fact led to the dissolution. The question of peace or war in Europe was then trembling in the balance, and yet because the House would not go into Committee on a Bill which no one had been found to defend, the Parliament was dissolved, and an appeal was made to the country. Now, almost the first paragraph in Her Majesty's Speech expressed Her Majesty's satisfaction at being able to seek the advice of her Parliament in the present critical state of European affairs. He could not help thinking that if the advice of Parliament was necessary at any time, it was at the time when it was dissolved, for nothing had occurred since which was not then foreseen. Now, however, that they were again assembled it became a question what course the House ought to adopt. For his own part, he thought there was no other line open to those who occupied the Opposition side of the House but to deliver the verdict of the country against the Government. He had come fresh from the hustings pledged to do so, and he believed every Member of the Opposition had given his constituents a similar undertaking. Parliament had no alternative but to express want of confidence in the most emphatic, clear, and decided manner in the present Government. They were also told from the Throne that the necessary effect of the dissolution had been to interrupt various measures of legal and social improvement. On the other hand he would ask, was the dissolution worth that interruption? Again, they were told that the necessary effect of h at dissolution had been to incur a large expenditure for the defence of the country, for which the sanction of Parliament had not been obtained, and for which the Ministers would require a Bill of indemnity. Now, he did not mean to complain of that expenditure, for he was not acquainted either with its necessity or its amount, but it was one of those cases which showed the impropriety of the dissolution. They had the promise that night of a "well-considered measure of Reform"—a Bill at nine months, which would not be accepted by the House, nor endorsed by the nation. The country could place no confidence in the promises of "well-considered Reform." Why, then, should they trust the present Government for nine months? He did not believe in the sincerity of the Government upon this question, nor did he think the House or the country would place any trust in them. But even if the Government were sincere in those promises, their new Reform Bill would most probably be no better than their late Reform Bill, which was condemned by every one in the House that was not a member of the Government. Under what pretence then was it that the Government asked that confidence might be reposed in them on the question of reform, seeing their antecedents as a party, and the abortive measure they had last Session brought forward? Let the friends of reform, who adhered to it through evil and good report, come forward and deal with the question of reform. He believed the last dissolution was most uncalled for, and that the pretences upon which they had been sent to the country were wholly unjustifiable. He should be glad for the speedy arrival of the moment when he could go into the lobby to vote according to his own opinion, and according to the opinion of his constituents, against the present Government. He gave his most hearty support to the Amendment.

Mr. KNATCHBULL - HUGESSEN

said, that he had come down with very little idea of speaking upon the important subject under debate; but the singular silence which prevailed on the opposite (the Ministerial) benches—a silence which afforded one of the best proofs of the discipline presiding in that compact phalanx—compelled him to perform the somewhat difficult task of following speakers who had advanced arguments which had as yet been unanswered, and of endeavouring to add to the proofs which had been adduced of the incapacity of Ministers—an incapacity which, although they were not ready to admit, they were so slow to deny. The right hon. Gentleman the Chancellor of the Exchequer was most anxious for an immediate division, but upon a subject of such gravity as a vote of confidence or no confidence in the Government, he believed that the country would not be satisfied unless the eminent statesmen who occupied a leading position in that House explained the reasons which actuated them in the vote that they were about to give. The right hon. Gentleman after alluding to the "divisions" and to the "reconciled sections" of the Liberal party, looked below the gangway with a theatrical gesture which amused the House, and attracted the noble Lord the Member for London, and the hon. Member for Birmingham. This was not the first time the right hon. Gentleman had looked below the gangway, though with a different object in view. When his India Bill had proved such an egregious failure, he "looked below the gangway" to the noble Lord, and by his aid was enabled to save himself and the Government by proceeding to frame a Bill upon the Resolutions suggested by the noble Lord. When the question of the Ellenborough despatch was before the House, the right hon. Gentleman "looked below the gangway" and received assistance from the hon. Member for Birmingham: in fact, ever since the formation of the Derby Government, the right hon. Gentleman had been continually "looking below the gangway" for the succour of those whom he now attacked. The right hon. Gentleman also had made a bitter attack upon the right hon. Member for Carlisle (Sir James Graham); but the House could recollect the time, not long since, when the right hon. Baronet opposed the Cardwell Motion, in a speech of wonderful ability, and when, in consequence, he was held up by his present accusers as the model for patriots and statesmen. The right hon. Gentleman had further denied, as an impudent fabrication, the report that the Earl of Derby had subscribed £20,000 to a certain fund for electioneering purposes. He (Mr. Knatchbull-Hugessen) was glad to hear the denial, but the country was not by such a disclaimer to be cheated out of its conviction that means had been resorted to during the last election which had not been had recourse to on former occasions. The Government were very much mistaken if they thought that the subject was to pass away in oblivion, for he believed that before many weeks elapsed there would be statements made by men of greater influence than himself which would carry conviction to the breasts of the auditors. With regard to the dissolution, he looked upon it as an act of positive ingratitude, for an amount of forbearance had been exhibited by Parliament towards the Government which was almost unprecedented in English history. Although they accepted office with an avowed minority, he believed that the Resolution of the noble Lord the Member for London upon the Reform Bill would have been either withdrawn or negatived if the Government had promised to leave the lowering of the borough franchise an open question for Committee. But they would give no promise on the subject. One hon. Gentleman connected with the Government declared that every point would be an open question in Committee; but the Chancellor of the Exchequer, the Secretary for the Colonies, and the noble Lord the Secretary for India took their stand upon the non-reduction of the Borough franchise, and the House knew not what to think. During the progress of the General election the Government candidates at one place proclaimed one view and at another place another upon this point. They had been informed to-night, however, by the mover of the Address, and subsequently by the Chancellor of the Exchequer himself, that the borough franchise was to be reduced if the Government should have an opportunity of bringing in another Reform Bill, and thus the principle was quietly abandoned which had been the main excuse for the late penal dissolution, recommended to Her Majesty by those very men who had so strongly protested against the "Penal Dissolution" of 1857. The right hon. Gentleman had referred to supposed divisions in the Liberal party, but were there none in his own? Were the supporters of the Government so compact and united a body as they wished the world to suppose? Could the hon. Member for North Warwickshire (Mr. Spooner) go into the lobby arm-in-arm with that gallant knight of Malta, the hon. and learned Member for Dundalk (Mr. Bowyer), or the hon. Member for East Kent with the hon. Member for Dungarvan? (Mr. Maguire.) He believed that every Government must now-a-days be conducted upon Liberal principles, and he did not anticipate that a change of Ministers would lead to any great change of policy. The Civil Service Commissioners might probably be allowed to inquire into young gentlemen's orthography without being subjected to sneering letters from gentlemen in office, who appeared to attach but little importance to spelling, and magistrates might cease to be appointed merely for political qualifications and in order that parties might be balanced upon the bench—a system to which he entirely objected as introducing a political element where none ought to exist. The great advantage of a change of Government would be that the conduct of liberal and progressive measures would be restored to those who had always advocated them, and the public would be released from the fear that they were introduced unwillingly, and proceeded with in a manner which would rob them of half their virtue. He could not undertake to say whether the proposal of this Amendment was or was not a judicious party move; but he was sure that it must be attended with results beneficial to the country. If it were adopted, it would show that there was a Liberal majority, which must lead to the formation of a Liberal Government; while if it were rejected it would be shown that the Government was entitled to a fair support from their antagonists, and ought at least to meet with no factious opposition. He trusted, then, that Her Majesty's Ministers would yet feel that it was due to the House to defend themselves otherwise than by an obstinate silence against the Motion. It was hardly respectful that a Motion which the Chancellor of the Exchequer had called a Bill of indictment should meet with such cavalier treatment. The question the House had to decide was, whether Ministers were deserving of the confidence of the House and of the country. It was because he believed the Government were not worthy that he would vote for the Amendment of the noble Lord, and he might say that the penal dissolution which had been inflicted on the House was of itself sufficient to deprive them of confidence in the Government.

Sir CHARLES NAPIER said, he did not rise to speak in favour of the Amendment or against it. He should leave that to hon. Gentlemen on the Opposition side of the House who wished to get into office, and to the Government who wished to prevent them. He was about to speak of something far more important than squabbles between parties—the defences of the country. He was very happy to find from the speech of Her Gracious Majesty that it was intended very much to increase our naval force, and that the Government intended to put into execution the recommendations of the Commissioners with regard to manning the Navy. When the present Government came into office they certainly had much to complain of, for their predecessors had reduced the navy almost to a nonentity. He must therefore give them every credit for putting the navy into a better state, but at the same time he thought they had been a long while about it. It was not for want of warning that they put the navy into an efficient state immediately they acceded to office. The First Lord of the Admiralty had admitted that he received three warnings from the Surveyor of the Navy before he be-began to stir, and he believed Sir W. Symonds had given a further warning before the right hon. Gentleman began to move. If the right hon. Gentleman had begun to reconstruct the navy when he first came into office, it would be in a far better state of preparation than it was now. It was pretty well understood that something against England was brewing between France and Russia, and although we had ten sail of the line in the Mediterranean tolerably well manned, and ten sail of the line now at home, and two more were commissioned the other day, yet the latter were very imperfectly manned. The Government had wisely issued a proclamation offering £10 bounty to able seamen, £5 to ordinary seamen, and £2 to landsmen, but the men had not come forward in the manner which had been expected. He had been willing to make an allowance for the late prevalence of the easterly gales, which had prevented the ships coming up Channel; but sufficient time had now elapsed to ascertain the effect of the proclamation. Having been told there were no seamen in London, he took the trouble the other day to go down to the Sailors' Home, and he found it full of seamen, some good, some bad, and many indifferent; but although he reasoned with them on the subject, they were very much disinclined to enter the British navy. He believed they had only been able to get 3000 men, notwithstanding all the proclamations, and out of that number, he was sorry to say, not 7½ per cent. were seamen. Now this was a difficult and tender subject at this moment. That he well knew; still he would suggest that a proclamation should issue that, in the event of a war taking place, those seamen who had entered before the recent proclamation raising the bounty should also receive the £10 bounty. He thought it was most important that they should show to the seamen that they would receive full justice. He believed that France had as large a naval force in commission as England had. [The First Lord of the Admiralty shook his head at this statement.] He hoped that the right hon. Baronet would be able to show the House the number of ships in commission in both countries, so that our naval strength, as compared with that of France, might be accurately known. The First Lord of the Admiralty ought to tell the House at once what the prospects were of our being able to maintain a much larger fleet than we had at present. There was said to be an engagement or understanding between France and Russia: and the House ought to have some information from the Government as to the state of the Russian fleet and French fleets, in reference to the possibility of a movement in the Baltic as the war developed itself. He had no fear of our fleet in any emergency if properly manned. It was due to the country, to the officers commanding the fleets, and to the men themselves, that the ships should be efficiently manned, and he hoped they would have a satisfactory explanation on that point. We had the means of manning twelve sail of the line with our coastguard and coast volunteers, but we had not at the present moment ships to put them into. He admitted, however, that that was a part of the service to which we ought not to have recourse, except in the greatest emergency, but they ought to be ready to receive men. [An. Hon. Member: Question.] This was the question. This was the question, a question which belonged to him, and he did not want to enter into any other. There was an opinion that the French were not good sailors, and that the French ships were not well officered; as a proof to the contrary, he might refer to the rapidity with which the ships of the French navy conveyed the troops from Marseilles to Genoa the other day, disembarked them in perfect order, and in a few hours were on their way back to Marseilles. A better proof of the efficiency of the ships in all respects could not be afforded. It was worth the while of the Government to bear that fact in mind, because it went to prove that in the event of a war with France we should have to contend against an enemy who knew his business perfectly well. If the Russians sent a fleet to sea—which they usually did every summer—if fifteen or twenty sail of the line, the Funds, which went down the other day at the mention of a secret treaty between France and Russia, would fall twice as low as soon as it was known the Russian fleet had set sail. If the Government had not men enough in the dockyards, let them enter more, so as to get a strong fleet prepared, and then every person would feel secure, and satisfied that the Government were doing all they could do. He was not speaking in fear of an invasion of this country at present, because the hands of France were full; but we ought to have ready a sufficient force to defend the shores and protect the honour of this country in the event of necessity.

Mr. WILSON said, he had thought it only due to right hon. and hon. Gentlemen opposite to pause a while to see if any of the supporters of the Government felt disposed to address the House, but it was clear that however large the numbers of hon. Members opposite might be, very few felt disposed to support the Ministry by their voice. He had missed especially from this discussion one hon. and learned Gentleman of great eloquence and ability—he meant the Solicitor General—who usually appeared on the first night of a debate to advocate the case of the Government, and stigmatize their opponents by some epithet—now a cabal and then a dodge; and he thought some such epithet would not be inapplicable to the proceedings of the Ministers that evening. It was quite unnecessary for him (Mr. Wilson) to justify the Amendment, for the Chancellor of the Exchequer admitted that the Motion of the noble Marquess was not only fair, but, under the circumstances, he almost went so far as to say, necessary. He did not see how the House could have done its duty, having defeated the Government in the late Parliament, and the Government having appealed to the country—he did not see how they could, consistently with their duty, have avoided challenging the issue now that the new Parliament was assembled, unless they were prepared to allow that the decision on that appeal to the country had been against them, and that the Government had the command of a large majority, which would enable them to carry their measures and maintain their position. But that was not the case; they were not prepared to admit that the present Government were in the position in which Mr. Pitt's Government were in 1785. He (Mr. Wilson) did not mean, however, to rest his vote upon the mere question of the dissolution of Parliament, but was prepared to show grounds for the Amendment in the management of the various departments, and of the finances of the country especially, by the Government. In the first place, he would ask the House had anything happened since Ministers were defeated in the late Parliament that should induce the present House of Commons to reverse the decision of its predecessor? The first act of Ministers after that defeat was to dissolve Parliament. They might have resigned, but they preferred to dissolve. It was well known that there was a strong feeling prevailing throughout the country, and he might almost say throughout Europe, of the impropriety of that course at such a time, and he complained of the dissolution not only on Parliamentary and constitutional grounds, but on European grounds. When Parliament was dissolved there was not a single platform in Europe from which the minds of Emperors and Kings could be influenced. Having been in Paris a week before the dissolution he could testify that men of the greatest weight looked to the House of Commons as the place from which public opinion could alone make itself heard and influence the fate of war and of peace. On that ground, he complained of the dissolution, as opposed not only to English, but to European interests; and what excuse had they put forward for it? The hon. Gentleman who moved the Address had said that they might expect the Government to bring in a Reform Bill, if not this year, at all events next year; and, as he understood the hon. Gentleman, it would probably be founded upon the principles enunciated in the noble Lord's (Lord J. Russell's) Resolution. If they were prepared to depart from the principles, which, when they brought forward their previous Bill, they considered a *sine qua non*, why did they not do it at once, and save all this trouble? There was another reason against the dissolution, which all statesmen allowed to be a constitutional reason, namely, that although it was the undoubted right of the Crown to dissolve Parliament, and of the Minister to advise the Crown to dissolve, he had no right to give that advice unless he had a fair ground to expect a majority in the new Parliament. But what hope had the Government of a majority? What did they expect? The Chancellor of the Exchequer told his constituents at the Buckinghamshire hustings that the Government expected 300 supporters in the new parliament, but would that give them such a majority as would justify a dissolution, or enable them to carry their measures? He (Mr. Wilson) could only characterize a dissolution under the circumstances in which it was resorted to as a sinful and unjustifiable act. Well then they came to consider what was the present state of the House of Commons. The right hon. Gentleman had often denounced the carrying on of a Government by a minority. It was not for the interest of the Government, the country, or of the House, that such a state of things should exist, and it was the duty of the Opposition to take up the challenge given by the Government itself, and ascertain whether Ministers had or had not a majority sufficient to carry on the government of the country. If the result of the division should show that they had, then a great advantage would have been gained by this Motion; for not only would they have knowledge of the fact and be enabled to prepare their measures according to their own views of the interests and requirements of the country with the fair chance of being enabled to carry them, but the country would have knowledge of the fact, and be prepared to extend to them its confidence. The issued raised upon the hustings was "confidence or no confidence." At all events that was the issue raised at Devonport, where all the weight and strength of the Government was brought to bear to induce its constituents to return a verdict in their favour. ["No, no."] Yes, he was opposed by a very respectable young gentleman, against whom he had not a word to say—the son of the right hon. the Secretary of State for War, and who was supported by all the influence of the department over which the right hon. Gentleman presided. In his own case, not only was the legitimate power of the Government brought to bear, but the officers of the Government, paid out of the public purse, not only took part in the election, but were chairmen of committees; one of them was chairman of the committee of the noble Lord the Member for Plymouth, and another canvassed for and at the hustings proposed the son of the right hon. Gentleman opposite. It had always been held as the rule that persons engaged in the permanent service of the Crown should not take an active part in elections; so far was this carried, that in 1852, the President of the Poor Law Board was applied to to prevent overseers, although paid from parish funds, from canvassing in boroughs, and he stated that if they did so he would exercise the power he possessed under an Act of Parliament, and dismiss them from their offices. On the present occasion that rule had not been adhered to. It was not alone, however, on questions relating to the Government in the late Parliament, not only on the Reform Bill brought in by them and disapproved by the House, not only on the dissolution, and on their conduct during the elections, or on the fact of their being in a minority in that House, that he based his opposition to them, but on matters connected with the administration of the Government. He supported the Amendment clearly and distinctly on grounds connected with the state of the public finances, and the improper use of those finances in the expenditure of the country, and lastly, without waiting for the papers which the right hon. Gentleman had tauntingly told them they should have, he was satisfied with what they had already, and he was prepared to canvass certain points in the foreign policy of the Government from their own admissions and their own acts. First, with regard to the condition of the public finances. No doubt if they looked only at the public accounts and the statements of the Chancellor of the Exchequer the public might fancy that we were in a comparatively flourishing condition. A slight examination would, however, show that we were not only not in a flourishing condition, but that the course taken by the Government last year had placed us in a dangerous position. In the first place the Government had for some time gone far to reverse the policy which that House had followed for many years past. The Government had allowed a large portion of the income-tax to expire, while the amount of duty placed on sugar, as a war duty, was allowed to remain. Of the indirect war taxation £3,000,000 had been retained, while the direct taxation had been reduced below the amount raised in time of peace. Last year the payment of Government bonds was postponed; and this year something of the same kind would probably be done. But what would be the state of the revenue next year? The duties that would expire next year amounted to £9,000,000; there were, no doubt, Long Annuities to the amount of £2,000,000 that would expire also; but still there would be a deficiency of £6,000,000 or £7,000,000. And what had the right hon. Gentleman, the Chancellor of the Exchequer, done to meet the difficulty? Little or nothing. He certainly proposed a stamp duty on bankers' cheques, and equalized the Irish spirit duties. But the proposed stamp duty, from which he expected £300,000, had only returned £190,000; and as regarded Irish spirits, there had been an actual diminution of receipts, as compared with the preceding year, of £94,000 in place of an increase, as anticipated, of £500,000; so that there had been a decrease instead of an increase; and whereas by the aid of the estimated increase in the duty on Irish spirits, the right hon. Gentleman computed the return from the excise at £18,600,000, there was a deficiency of £700,000 below the calculation, and if the amount gained from the bankers' cheques was deducted from that amount, there would still be a deficiency of receipt from the Excise, as compared with the estimate, of £500,000. With all these difficulties staring us in the face, with taxes to the amount of £9,000,000 expiring next year, and debt accumulating which ought to be paid off in 1860, no preparation had been made to meet the coming state of things, except these two attempts, which had proved so abortive that the Chancellor of the Exchequer had £500,000 less than he had before. He should, perhaps, be told that there was a considerable excess of income over expenditure, and that the annual accounts showed a sum of £600,000 in that respect. But this arose from accidental circumstances—among others, by the sale of old stores for a sum of £1,194,000; a sum of £2,125,000 had been received from accidental sources, which could not be calculated on in future years. In short, the permanent income had failed the right hon. Gentleman, whilst the accidental receipts had been greater than he had expected. The Customs' receipts had been in his favour in a great measure, owing to the accidental but extraordinarily large consumption of sugar. But if the House looked to the expenditure they would find it very much exceeded the estimate of the right hon. Gentleman the Chancellor of the Exchequer. The interest on the public debt the right hon. Gentleman calculated would be £28,400,000; it turned out to be £28,527,000, or an increase of £127,000. There was an increase in regard to the charges on the Consolidated Fund of £40,000; and in the army expenditure of £762,000, besides £782,000 in respect to the Chinese and Russian wars. There was an increase of £59,000 in the civil service—on all the heads an increase of £1,880,000. On two points the right hon. Gentleman was within his estimate, and a saving of £645,000 had been effected; but there had been a balance upon the whole against the Treasury, or at least against the Chancellor of the Exchequer's estimate, of no less a sum than £1,050,000. On these deficiencies he would remark that in the case of the public debt there could be no excuse for the difference between the real amount and the amount anticipated by the right hon. Gentleman, because the charge could have been calculated to a penny. The packet service had also risen to the sum of £1,000,000 sterling a year. It was full time that the House should look at the principle on which this immense expenditure was based. In the year 1854 a Commission was appointed to determine the principles on which this great branch of public expenditure should be regulated, and it reported that no contract ought to be entered into by the Government for a term exceeding five years, and none except by public competition. Had those conditions been complied with by the Government? Before he (Mr. Wilson) left the Treasury an application was made by Mr. Cunard for an extension of his contract for the great Atlantic service. The application was made in the regular way through the Admiralty, and was looked at favourably by them. But the contract then had five years to run; it did not expire till 1862, and when application was made to the Treasury to renew it, what answer could be given but a negative? The application was repeatedly made, and the answer was uniform that the Treasury was not prepared to bind Parliament prospectively for five years, and to ignore all chance of improvements that might be made in steam navigation in that time. There were other reasons for this refusal. The Treasury had just entered into a contract with an Irish Company and the London and North-Western Company to accelerate the communication with Ireland; and there was under consideration the question of communication with America from the West of Ireland. The Great Eastern steam ship was also in progress, and they were justified in looking to the probabilities of improvements being made in steam communication. What did the present Government do when they came into office? He was informed that one of the first things they did was to renew prospectively the contract with Cunard which had been refused; there was also another reason why the late Treasury refused that contract. When it was agreed that £191,000 a year should be paid for that contract, it was made on behalf of this country and of the Colonies also, but in the meantime the Canadian Government entered into a contract of their own, granting a subsidy of £50,000 a year, and if the contract had been renewed, it ought to have been made with reference to these special circumstances. The present Government having renewed this contract had, besides, entered into a contract with the Galway and American Company without having advertised for tenders or ascertained which was the best port for a communication between the West of Ireland and America, and this in spite of all the rules laid down and the Report of the Commission. The Secretary to the Treasury, in the discussion on this subject at the close of the last Parliament, said that this was not merely a postal service, but had reference to the interests of Ireland, and especially with reference to emigration, but that was not a sufficient excuse for the granting of a subsidy of £70,000 or £80,000 to a company for postal service. [*Cries of* "Question."] When any one was undertaking the duty of impeaching the conduct of the Government it ought to be done on solid grounds, and not on vague statements, and he was endeavouring to show how the finances and expenditure of the country had been dealt with. He would now refer to one or two remarks upon points connected with the foreign policy of the Government. There could be no doubt that both in and out of the House there were two great principles which it was wished should be maintained—neutrality on the one hand and peace on the other; and he wished to show how far confidence ought to be reposed in the Government as regarded their power of maintaining either peace or neutrality. There was no hon. Member who had sat in the last Parliament but who must remember the 25th of February, when the Chancellor of the Exchequer answered a question of which the noble Lord the Member for Tiverton had given notice. It was one of the most solemn occasions that he remembered. There was a general impression that we were on the eve of war, and when the noble Lord gave notice of his question it excited an interest not only in this country, but in Paris and in Europe generally, of no ordinary kind. The Chancellor of the Exchequer said:—

> "I have the satisfaction of informing the noble Lord and the House that we have received communications which give us reason to believe that ere long the Roman States will be evacuated by the French and Austrian troops, and that with the concurrence of the Papal Government. Under these circumstances, Lord Cowley, who enjoys the entire confidence of Her Majesty's Government, has repaired to Vienna in a confidential capacity. The House will not press, nor expect me to enter into any details as to the precise character of his mission, or the nature of the instructions which Her Majesty has been pleased to give to her envoy. Enough for me to say that it is a mission of peace and conciliation."—[3 *Hansard*, clii., p. 880.]

When these words were uttered, the impression they made on the House and on Europe was one of astonishment, as well as congratulation, but nowhere was the astonishment greater than at the Tuileries and the Foreign Office of Vienna. It was a grave thing to challenge a statement of a Minister of the Crown and in a way that would imply a distrust in the statement when it was made. But was the right hon. Gentleman justified in making that statement by anything which had occurred? No one could say so now. The right hon. Gentleman proceeded to say that Lord Cowley had proceeded to Vienna. The fair inference was, and it was drawn by the noble Lord the Member for the City of London, that in consequence of negotiations carried on by the Government, the evacuation of the Roman States by foreign troops would take place, and that in consequence Lord Cowley had gone to Vienna. But instead of this being the case, Lord Cowley received this information by telegraph, and received it with astonishment. Lord Cowley, they were told, had gone to Vienna, having the full confidence of the Emperor of the French and of Her Majesty's Government. On the return of Lord Cowley to London, but before his arrival in Paris, the Government received information from the Government of France, that Russia had proposed a Congress. Without waiting for the two days which were provided for, the Government anticipated the action of Russia, and wrote to the French Government agreeing to a Congress. Lord Cowley had never therefore had the opportunity of laying his proposal before the French Government, but was thrown over by the Government in favour of the Russian proposal. The Government, although believing their plan to be the best, accepted the Congress saying that they would not take the responsibility of rejecting any opportunity of obtaining the object in view. The result was, that the negotiations for a Congress were put an end to by the Vienna Proclamation and the breaking out of the war. He did not believe that by this vacillating policy the Government had acted in the manner best calculated to prevent war. It would have been infinitely better if the Government before they sent an envoy to Vienna to negotiate, had stated in writing the objects of the negotiation. At the close of the last Parliament there were expressions dropped by Members of the Government calculated to raise a suspicion as to what were their views. In "another place" the Earl of Derby said:—

> "War once broken out in Italy, it is hopeless to imagine that it will be confined within the compass of that peninsula. Other passions will be aroused, other conflicting nationalities will arise, and other nations be called on to interfere in the conflict; and war once originated in Italy would at no distant period extend throughout its centre and to its frontiers, and wrap the whole of Europe in one general conflagration. It would not, my Lords, be difficult to trace the steps, nor would it be wise to do so, by which such an extension would necessarily come; but I will only say that even for this country it would be impossible to look with total indifference at any alteration of the occupation of the shores of the Adriatic. Our interest and power on the waters of the Mediterranean, and the possible consequences of any such catastrophe are such as would require the most careful vigilance and the most earnest attention on our part to guard against any possible contingency from the side of any Power whatever."—[3 *Hansard*, cliii. p. 1855.

Since those words were spoken a large fleet had been sent to the Mediterranean, as we were told, in addition to our fleet already there, which was powerful enough for all useful purposes. This had created no little excitement and alarm in the public mind, coupled with the Earl of Derby's allusion to the shores of the Adriatic. He would ask what shores of the Adriatic the noble Lord referred to? If he meant the Western shores of the Adriatic, and the coast about Venice, that would confine us strictly within the limits of the Italian war. If he meant the opposite shores of the Adriatic and intimated that an attack upon Trieste or any part of the territory of the German Confederation would be ground for our interference, that was a very dangerous doctrine, and entirely contrary to the views of the country at large. No doubt we were all agreed that, so long as the war was strictly confined to Italy, there was no reason for the interference of any other power than those actually engaged in it. It was well known, however, that if the war extended to the territory of the German Confederation, all the German powers would be bound to assist Austria; but even in that case, there could be no necessity for this country to break through its neutrality, and be drawn into the contest. That he believed was the opinion of a large majority both in the House and in the country. He could not help feeling some apprehension as to the conduct of the Government on this subject. He hoped the neutrality which we meant to preserve would at any rate not be such as might be inferred from a speech made by the Attorney General for Ireland in the last Parliament, when he censured the noble Lord (Viscount Palmerston) for not having supported a proposed settlement by which Venice would be restored as its condition to the Austrian dominion. He hoped no British Government would now be a party to such a bargain, to induce Venice to give up any advantages of freedom which she might have an opportunity of winning, in order that Lombardy or any other part of Italy should purchase liberty at that price. It had been urged as a reason for reposing confidence in the Government, that they would be able to carry a Reform Bill through Parliament, which no liberal Government could hope to do. But such a statement as that must have reference rather to the other House of Parliament than to this. Were they to be told, however, that the House of Lords had no higher view of their functions and duties than that they would be willing to carry a measure proposed by one set of statesmen which they would not carry if proposed by another set of statesmen? He had heard hard things said of the House of Lords, and many attacks made upon them, but never such an attack as this. If it could be truly said of them that they were actuated by such a motive, then he believed that nothing could be more calculated to shake the just influence of that august assembly over the minds of the People of England.

MR. DIGBY SEYMOUR said, the question now at issue was not the duty on Irish spirits, the merits of the west coast of Ireland, the distance between Cork or Galway and Liverpool, or the subsidies of rival lines of steamers. He had heard with considerable surprise the introduction of such topics as these, and he must protest against the course which the hon. Member for Devonport (Mr. Wilson) had adopted in occupying the time of the House with such paltry details. Were they or were they not at that moment deciding the fate of a powerful Ministry, and about to give judgment on an issue which effected the dearest interests of the country? He (Mr. Digby Seymour) was an independent Member of that House. [*Laughter and cheers.*] Yes, he repeated it fearlessly, an independent Member. He had gone down to a great constituency, without hereditary or other influence, but addressed himself simply to a frank exposition of his views upon social and political Reform, and to vindicate those views he had been sent to this House. He had come here unpledged, but determined in his heart of hearts to support that policy which he believed would best conduce to the interests of Reform. The question had been asked that night, where was the Solicitor General? Could anything be more absurd? The Solicitor General was an eloquent and distinguished man, and he was too good a lawyer not to know that it was not for those who had to prove a negative to speak first, but that the *onus probandi* rested upon those who, in a crisis like the present, met the Government with a Resolution such as that now before the House. He protested against the hereditary leaders of the Liberals assuming that he and other Gentlemen on that side of the House, who held the same independent opinions, were prepared to follow them like a flock of sheep across the floor of the House. The noble Lord the Member for

Tiverton and the noble Lord the Member for London said that the Government of the Earl of Derby were not entitled to the confidence of the House and the country. Notwithstanding the Government pledged themselves in the Speech from the Throne, and through the Chancellor of the Exchequer to-night, that they were prepared to bring in a substantial and honest measure of Reform next Session, do those noble Lords cry, "Out with them," without telling the country first what they will do if we put them out? Is this a fair issue? Is this fair play? Will those noble Lords pledge themselves to more liberal measures if they are restored to office? The Government of the Earl of Derby had made certain promises relative to the question of Reform, and had been true to them. They had laid a Bill upon the table which recognized the great principle of giving to the intelligence of the country a greater share in the representation. He did not mean to say, as an independent Liberal, that he was satisfied with the details of that measure, but certainly it recognized the principle for which he contended, and looking to Her Majesty's gracious Speech and the Chancellor of the Exchequer's explanation, at this moment the Liberals were offered more by the Government than they were by hon. Gentlemen on their own side of the House. If, however, the Government did not propose to give enough, what, he repeated, were the noble Lord (Lord J. Russell) and the noble Viscount (Viscount Palmerston) prepared to give? He hoped the noble Lords, before asking him as an independent Member to give a vote which, as the issue now stood, seemed to him unfair, un-English, and factious, would redeem their conduct by putting their issue upon a constitutional and intelligible basis, and telling the House how far they were prepared to go themselves. He must say that he sympathized deeply with the noble Lord the Member for London, who, in his present position, reminded him of the lines of Moore—

> "One morn a Peri at the gate
> Of Eden stood, disconsolate."

If, then, the noble Lord were admitted within the gate of office, would he give them a better Reform Bill? Will he legislate more speedily or more decisively? What offering will he bring to unbar the portals of the political paradise? Will he bring the Ballot? No! He is already pledged against it. Will he bring manhood suffrage? No! He had declared the people not ripe for it. Will he bring a promise to realize his own views of last Session? If he did, he (Mr. Digby Seymour) and other members would support him, for the issue will then be one of principle, and not one of party. Unless the leaders of the Liberal party were prepared to answer that question in the spirit in which he had put it, and to answer it satisfactorily, he, for one, should give his vote heartily and sincerely to the Government.

MR. LAING said, that when he had formerly the honour of a seat in that House he had ranked with independent Liberals, although he had never considered himself much of a party man; indeed, he sacrificed his seat in the last Parliament because he had felt it his duty to vote contrary to the leaders of his party. Having now been re-elected as a Liberal he had considered the question referred to by the hon. and learned Gentleman (Mr. Digby Seymour), and he had come to a completely opposite conclusion to that at which he seemed to have arrived. There were two great questions —Reform and our foreign policy—which they had to consider in dealing with the subject before them. As regarded Reform, he believed the conclusion which the country had arrived at was, that the Bill brought in by the Government was one which could not be accepted. The Chancellor of the Exchequer had told them that night that they were ready to consider the question of the borough franchise. If so, why was Parliament dissolved? The borough franchise was not a new question, it had long been before the country—two of the right hon. Gentleman's own colleagues, who had left the Government, were willing to extend the franchise in boroughs, and yet it was only now that they were informed the Government were ready to consider the subject. As he had said, he was not much of a party man, and wished he could see good reason for not disturbing the Gentlemen on the other side; but he must say, he did not feel it to be consistent with personal honour to call himself a Liberal, and sit on the Liberal side of the House, and yet oppose the great party to which he nominally belonged. And he could not but remember that it was the old leader of the Liberal party, the noble Lord the Member for the City of London, who had saved the country from having the question of Reform closed upon that inadequate basis to which he had alluded. As for foreign policy, his convictions were strongly in favour of peace. If the present Government had succeeded in maintaining the peace of Europe, that would have been a ground for his refusing to join in this vote of want of confidence. A short time ago we were told that keeping the Earl of Malmesbury in office was a guarantee for peace. Events had falsified that assumption, and the Government had been unlucky in well-meant efforts; with every advantage in their favour the war had broken out which they had failed to prevent. The question which arose, therefore, was whether, having failed to maintain the peace of Europe, there was any guarantee for the assertion that their continuance in power was necessary to prevent this country from being involved in the war? The evidence upon that point was not yet before the House; but from the declarations which had been made in Parliament by leading members of the cabinet, he drew the conclusion that so far as England was concerned, peace was more likely to be maintained by having a Liberal Administration in power. He took it for certain that, if this country were involved in the war, it would not be on the side of France, and that we should not go into it deliberately, but drift into it by the influence of German sympathies, and by some ill-advised and premature attempts at mediation, with a view to save Austria and Germany, by which we might be led into a quarrel with France, and so be involved in a war which probably no one of either party would propose deliberately to enter upon. He could not help thinking that a change of Ministry would be more likely to entertain that alliance or good understanding with France which he believed to be the keystone of the permanent peace of Europe, and essential to the true interests of civilization. He gave the Government every credit for their good intentions, but he could not hesitate to follow his old leaders on the old principles of Reform, peace, and non-intervention, unless he did, what he was not prepared to do, abandon his party and go over to the other side of the House.

Viscount PALMERSTON:—Sir, I think if any man could entertain a doubt with respect to the Motion which my noble Friend has made, calling on the House to express their want of confidence in the Government, the course the debate has taken this evening would be the most conclusive proof of its justice. How can the House have confidence in a Government who have no confidence in themselves? How can the House have confidence in the Government of a party who, while boasting of the numbers of which they are composed, cannot find more than one advocate daring enough to come forward and defend them in the course of this long debate? Why, their silence on this occasion is sufficient of itself to warrant judgment by default, and is the most conclusive avowal that they are undeserving of the confidence of this House. Sir, I admit that if one champion was alone to fight their battle—if the rest of the army were so timid or so weak and powerless that they did not dare to enter into the arena, they made good choice of a champion.

> "Si Pergama dextrâ
> Defendi possent, etiam hâc defensa fuissent."

No doubt that right hand would have been sufficient; but those who heard the speech of the right hon. Gentleman the Chancellor of the Exchequer must have felt, if the rest of the Government had anything to say in opposition to the Amendment of my noble Friend, that that speech, eloquent as it was, and full of unpleasant taunts and disagreeable reflections—attack on the one hand, and jest on the other—was wholly insufficient as an answer to that Amendment, which has been so ably moved and seconded. I think it is a most extraordinary spectacle that a Government, charged in the face of this House with being undeserving of the confidence of Parliament and the country, should have sat silent as they have done this evening. One would have thought that man after man of the remaining Members of the Cabinet — deserted though they be by two of their most respectable and distinguished colleagues—would have pressed forward with eager emulation to defend and justify the conduct which has been arraigned by the Motion of my noble Friend. But, Sir, it seems they are only anxious to conclude this debate. They entreat the House to take them upon trust, for argument we have not heard from them. They have nothing to say for themselves, except "For Heaven's sake, let the debate be as short as possible; let us come to a division to-night, when we have got our friends up; don't talk about our conduct, the less said about that the better; don't discuss our misdeeds; come to a vote; and then afterwards, if we have a majority, you can talk about them as long as you like." Sir, this is too grave a matter to be disposed of in that light and airy way. The question is, whether the Administration of one of the greatest countries in the world is or is not deserving of the confidence of Parliament and the country. That is not a question to be dealt lightly with, and least of all at a moment when the flames of war are raging in Europe, and when no man feels certain how far this country may, or may not, under the guidance of those who at present rule, be affected by the conflict now being waged in Italy. I say, when great European and national interests are at stake, it is disgraceful for a Government so to treat the questions raised by the Amendment before the House, and to decline self-vindication. Then I say that on every ground the House ought to come to the vote that is proposed for their acceptance. I think, having regard to the manner in which the Government was formed, to the course they pursued, to their mistakes and defaults in domestic legislation, to their errors in foreign policy, and to the course they took in regard to the dissolution,—upon all these grounds the House is justified in withholding from them that confidence without which a Government cannot, with dignity or efficiency, hope to conduct the affairs of the country. I don't like to revert offensively to events connected with the formation of the Government; but on this occasion I must speak out. I say, they came into office by a Parliamentary manœuvre—by a manœuvre justified perhaps by the ordinary tactics of Parliamentary warfare, but which was not a foundation on which they were entitled to claim the confidence of the House. When the Conspiracy to Murder Bill was under discussion, about one hundred Members of the Liberal party differed from the then Government. I lamented the course they took on that occasion, but they had a perfect right to pursue that course, and with the opinions they held they did but perform a public duty in voting against the introduction of the measure. But what was the course taken by the leading Members of the Opposition on that occasion? Did they disapprove that measure? Did they not, on the contrary, in this House and in the other, urge on the Government to proceed with the Bill, and did they not, on the Motion for leave to bring it in, vote, to a man, with the Government for laying it on the table? But afterwards, when they saw a division among the Liberal party—when they saw a large number of the Liberals were opposed to the measure—then, yielding to that desire for office which I do not blame in itself, but with which they now reproach those who oppose them, they abandoned their old opinions, and voted against the Bill which they had represented to be necessary to the honour of the country, and to the maintenance of a good understanding with a great neighbouring Power, and by that manœuvre they obtained Power. Well, then, I say their origin was bad; it was not creditable to them as a party, and they ought, I think, to have felt more gratitude for the forbearance with which those who were the objects of that manœuvre abstained from twitting them with their conduct. Being in, in that way, what was the conduct of hon. Gentlemen on this side of the House? Did we harass them with any factious or vexatious Motions? On the contrary, they confessed that they were in a minority in the House of Commons. The noble Lord at the head of the Government, I think, admitted in his place in Parliament that his Government was only supported by a minority in this House; and if his Government, notwithstanding, has been able to support its existence so long, that simple fact alone is a proof that they have been treated with much forbearance. A Government standing so, cannot by possibility pursue their own course, or act upon their own opinions. But, at least, when such a Government do adopt measures which they take up in deference to the opinion of the majority, they ought, if they be a Government deserving by their capacity of the confidence of the country, to frame measures which will carry into effect the great principles they have adopted from their opponents in a manner acceptable to public opinion. In this, unfortunately, the present Government did not succeed. There were two great matters upon which they had to introduce Bills. There was the transfer of the Government of India to the Crown, and the Reform of the Representation of the People in this House. They adopted the transfer of the Government of India from the Company to the Crown, although out of office they had opposed it. They had, up to the last moment, resisted that transfer; but in office they immediately adopted it. This was very laudable, no doubt, because, being in a minority, the only consideration of their existence was, that they should submit, in great measures, to the will of the majority. But then, so unfortunate were they in devising and framing the measure which should carry out that great arrangement, that the measure they proposed was met with universal ridicule, and was withdrawn without the slightest hesitation, and another substituted in its place. That second measure, undoubtedly, at last passed the House with considerable alterations; but I may be allowed to think that that second measure, although framed on the pattern of that which we had introduced, was less well adapted for working the system introduced. Their first measure of legislation thus utterly and entirely failed. Then they had to deal with another great question — Parliamentary Reform. In that also they had, out of office, been opposed to the carrying of the measure which they in office immediately undertook to propose. They had been anti-Reformers; but feeling, as I said before, that the condition of existence of a Government resting on a minority was, that it must adopt the principles of the majority, they became Parliamentary Reformers, and produced their Bill. Those who had watched the progress of their India Bill foretold that their Reform Bill would be an equal failure. People said, "No, men don't fall twice into the same mistake; they will not twice make the same blunder; they must have means of judging of public opinion and of opinion in this House. Depend upon it, they will introduce a measure that, with some modifications, will be acceptable to the majority of the Representative Chamber." And they brought forward a measure which, I believe, not one man in the House out of the Cabinet thought deserving to pass into law. There was hardly an hon. Member on their own side of the House that spoke in the long discussion who did not for one reason or another find fault with the measure they proposed. At last came a Resolution moved by my noble Friend which was calculated to redress two, at least, of the leading defects of the Bill they had introduced. That was carried by a majority sufficient to prove that the Bill, as it stood, could not go on through its other stages. Well, here was a second failure in regard to an important matter of domestic legislation. And when you see a Government which in the course of twelve months tries its hand at two great and important measures, and on both of them fails, I think it is not assuming too much to say that that Government is not one in which this House can be disposed to place confidence. Then what was the course they pursued on that occasion? The noble Lord the Secretary for India stated in the debate that if that Resolution was carried they should view it as a vote of censure. Sir, they had no right to view it as a vote of censure. It was a vote of censure on a measure, but it was not a vote of censure on them, excepting inas-far as you may say it is a censure on a Government to declare that a measure which, after grave and long deliberation, they have produced, is not fit for the adoption of the House. They stated that they had two courses between which to choose —namely, resignation or a dissolution. I contend that they were not called upon to pursue either of those courses, but that there was a third alternative which they ought to have adopted. Being a Government resting on a minority—being a Government, and avowedly dependent on the acquiescence of the majority, I say the condition of their existence was that they should shape their conduct in accordance with the opinions and feelings of the majority. They ought, on that occasion, to have done the same as they did in regard to the Indian Bill. They should have withdrawn their objectionable Reform Bill, and brought in another framed on principles which the debates in this House had clearly shown to be in harmony with the general opinion of Parliament. If they had done this, and produced such a Bill, my belief is that it would have passed, and would at this very moment have been the law of the land. But it was reported of them that they said they had done that before, and could not repeat a course which they had once ventured upon. Why, they have made two mistakes. What they refused to do a second time was to correct the mistake and put themselves right. To be twice in the wrong they had no objection; but to be twice in the right was repugnant to their feelings. Another reason was given for their conduct, and a precious reason it was. It was said that I taunted them— that I bade them withdraw their Bill and bring in another, and that they would not do my bidding. Why, Sir, are they men or children? It might be a very good argument for a naughty child, when told to do a thing, to say, "I won't, because you have told me to do it;" but for men, for the statesmen of a great country dealing with an important question, to say they will not do what is right, because, forsooth, one of their opponents told them to do it, in a manner which they, perhaps, did not like, is either too jocose or too serious, I know not which. Certainly, men acting on such a principle ought not to have charge of the interests of a great Empire like this. Then they dissolved. And I should like to know how many men in this House approved that proceeding. I am not speaking now of the personal inconvenience to which hon. Members on both sides have been put, but of the condition in which that dissolution placed the Government of this country in a great crisis of European affairs. Many things have happened which show that whatever other gifts the Government may possess, at least they are not endowed with the gift of prophecy. If they had been able to foretell that during the period when the country was deprived of a Parliament, and when the Ministry were consequently without the support which Parliament could give them, all Europe would agree to be quiet and to rest in breathless expectation for the result of the dissolution, they might, perhaps, have had something to say for the course they pursued. But men who looked with a statesmanlike eye at the state in which Europe was and might probably be before Parliament could again assemble—men who contemplated those measures which they found themselves compelled by a sense of duty to take without the consent of Parliament, and which ought not to have been taken without that consent—I allude to the establishments of the country — men gifted with foresight, I say, would have felt that nothing but inevitable necessity justified them in depriving the country of the presence of Parliament at so critical a moment as that at which they dissolved. The course they pursued was an unconstitutional course, because to add materially to our naval and military establishments, when Parliament was not sitting, unless they were called upon to do so by some overruling necessity, is not a measure consonant with the spirit of the constitution. Now, what that overruling necessity was we have not heard to-night, because they keep their secrets to themselves. We shall probably hear it all some other evening; but as yet no Member of the Government has risen to explain to us what imminent danger to the country required an increase to be made to our establishments when Parliament was not assembled to give its sanction to such a proceeding. I do not mean to find fault practically with what they did. I find fault with them for having wantonly and unnecessarily placed themselves in a position in which they were obliged to do it. We were told to-night by the Chancellor of the Exchequer that a delay of forty-eight or even twenty-four hours in the decision of this House will produce some unknown and awful peril. If a doubt existing in the minds of Foreign Governments for so short a period as to whether Her Majesty's Ministers have or have not the support of Parliament is likely to lead to such fearful results, how came it that they thought themselves justified in sending away Parliament, and placing themselves for six weeks or two months in a situation in which grave peril must arise to the best interests of the country? No doubt, the position in which they stood before was one calculated to lend strength to the Government in its foreign relations, because a Ministry which exists on sufferance, which is liable by any combination of a majority to be overthrown from week to week, or from fortnight to fortnight, cannot possibly expect that foreign Governments entering into negotiations with it will feel any confidence that the policy it begins will be followed up by its successors, and therefore with all civility and courtesy, they will decline the advances which such a ministry may make for the purpose of bringing about any great European arrangement. And so it was with the present Ministry. But even that state of things, weak as it renders a Government, much as it deprives it of that proper authority without which it is impossible either to preserve peace or put an end to war, if they had only brought in another Reform Bill, carrying it as they might have done with the concurrence of this House, would have been far better for the interests of the country during the interval that has elapsed since then than the total absence of Parliament, and the more than doubt which must have existed in the mind of every man in Europe whether the present Ministry would have the support of Parliament. For what was the issue they took — what the cause they assigned for the dissolution? They themselves declared that they dissolved Parliament because they had not the support of a majority; and it was therefore doubtful, and must have remained doubtful till Parliament had again met, whether the elections would furnish them with the majority which they then had not, and whether they would return to Parliament a Government backed by such an array of adherents in this House as would give stability to their tenure of office, and steadiness to any policy they might undertake. I say, then, that the dissolution was a culpable proceeding. I say it was sacrificing what might eventually have been great national interests, in order to scramble for a few votes at different hustings. The right hon. Gentleman the Chancellor of the Exchequer spoke with great levity of the charges which have been made against the Government for irregular practices at the elections in certain parts of the country. I am not going to enter into that question now. But I will venture to tell him, that before any great length of time has passed there will be plenty of occasions—many more, perhaps, than will be agreeable to hon. Gentlemen opposite—when that subject will be brought under our notice. If, then, Her Majesty's Government are—as I contend they have shown themselves — unequal to the management of the domestic legislation of the country, I say they have shown themselves much more unequal to manage our foreign relations. They tell us, "Oh! you must not form or express an opinion upon that point because we have not given you our blue-book." Why, there is a black cloud hanging over the south of Europe which is quite sufficient to tell us the story without reference to a blue-book. We know the general outline of what has passed, and—without disputing the good intentions of the Government, for I have no doubt they did what they thought best calculated to prevent the war—I must say, my conscientious belief is, that the course they pursued brought on the war, and that a different course would have prevented it. Why, their great notion was, that the danger of war arose from France and Sardinia. Their idea was—instilled into them, I have no doubt, by interested parties—that if they could only hold language hostile to France and Sardinia, and patronizing towards Austria, they would preserve peace. That is the secret of what we heard in this and in the other House of Parliament; and up to the very last moment their belief was, that if they could only threaten France with hostilities by intimating to Europe, that in the event of war breaking out they would be found acting on the side of Austria, peace would be preserved, and war would be avoided. Why, they did not know that while they were entertaining such opinions Austria had been accumulating her forces in Italy, and had taken the decision for war, and that at the very moment when in this House the Chancellor of the Exchequer was talking of the "dignified conciliation" of Austria and the "suspicious and equivocal" conduct of Sardinia, that summons which within a week afterwards was declared by the noble Lord at the head of the Government, at a dinner at the Mansion House, to have placed Austria in the position of a great criminal was on its way to Turin. If they had known that—if they had been aware that Austria had then determined upon war—that although, as was stated to-night, France and Sardinia had agreed to the principle of disarmament, as a preliminary to a Congress, Austria was on the point of sending to Sardinia a summons which it was impossible for any Government entertaining the slightest feeling of independence or self-respect to accede to, and that the negation of that summons was in three days to produce an inroad into Sardinia and a violation of the peace of Europe, I cannot believe that they would have talked of the "dignified conciliation" of Austria, or the "equivocal and suspicious" conduct of Sardinia. It is quite plain that they were ignorant of the real state of affairs; that they were uninformed as to what was going on; that they were under a delusion as to the intention of the different parties, and that they believed the danger of war was imminent on the part of France and Sardinia, while there was no such danger on the part of Austria. The result proved that Austria was prepared, and that France was not, so that the danger was lowering upon Lombardy instead of descending from the Alps. They ought to have known that, and had they known it, perhaps you would not have found them threatening Austria with war, even if they had supposed her to be in the wrong. I think a threat to either side that any contingency of war was to involve England as an active party in the contest was wrong and imprudent, the more especially when it was launched at a proud, warlike, and independent nation, who must have understood what was meant, and would doubtless have resented it. If the Government had known what was going on at Vienna and what were the intentions of the Austrian Government, they would have held different language to Austria. I cannot but believe if, at that time, there had been in this country a Government possessing the confidence of Parliament, and resting for its support upon a majority of this House, that friendly, firm, but temperate language would have induced Austria to pause, and to abstain from that act of aggression which, in the opinion of the noble Lord at the head of the Government, removed her from the position of a dignified conciliator to that of a criminal. It is plain Austria was alleging that her treaty rights in Lombardy and Venice were to be invaded. The Government might then have fairly said "Go into Congress. Let all the great Powers of Europe assemble, and we will stand by you in negotiation, in maintaining your unquestionable treaty rights; but do you, in your turn, and France consent to withdraw all military interference, and all improper administrative influence from countries which are not your own. Free the south of Italy from military occupation and from dictation to Governments, and let the Italians and their Governments deal with each other as independent nations invariably do. Leave them to settle their own differences, and probably the settlement will lead to your own prosperity." I cannot persuade myself that a Government, acting on statesmanlike views and possessing the support of Parliament and the confidence of the country, would not have been able to succeed at that moment in preventing the outbreak of the war which is now raging on the banks of the Po and the Ticino; and this leads me to the conclusion that the present Government is not entitled to the confidence and support of Parliament in regard to its management of our foreign relations any more than it is with respect to our domestic legislation. We are told that we must not lose a moment in coming to a decision upon this question. Why, whose fault is it if there has been delay in this matter? If the Government thought that a dissolution was necessary, why was that dissolution so long delayed? The dissolution might have taken place several days sooner than it did; and, the dissolution being determined upon, why was not Parliament called together sooner than it has been assembled? Parliament might have met earlier by several days. In that case the awful and mysterious crisis which appears now to exist, and in consideration of which we are called upon hurriedly and without discussion to come to a judgment upon the merits and the fate of the Government, would at all events have been anticipated by at least a week, and we might have had full time to discuss the merits or demerits of the Government without being accused of precipitating awful and dreadful contingencies. The question is, then, whether the recent elections have have not given a majority to the Government. I think that is a matter which the country is entitled to have cleared up at the meeting of Parliament. We have been asked "Why hurry that decision now? Why not pursue the ordinary course of loyalty to the Crown by agreeing to an Address responsive to the Royal Speech; and why not wait for blue-books and authorities, and allow the Government to fill up their ranks with fresh allies, and to gain voices that may be heard in our debates? Why call upon us, on the first day of the Session, to entertain a Motion of this kind?" I say that the course now pursued is the manly, courageous, and straightforward course. We have had an appeal to the country. It was not upon the Reform Bill; it was not on the question of foreign policy; it was not upon one measure or another, it was simply an appeal to the country to determine whether the present Government does or does not possess the confidence of Parliament and of the people. I say, then, we should be neglecting our duty, we should be shrinking from the part which, as Members of this House, we are called upon to play, we should be disappointing the expectations of the country, if we were to sit silent here, as (pointing to the Ministerial Benches) they are now sitting silent there—if we allow judgment to go against us by default, and if we had not ventured boldly to put the question to the House, whether the elections have or have not given a majority to the Government, and whether, therefore, the country as well as this House, has or has not confidence in the existing Administration. My belief is that the verdict will be against the Government. That is my opinion. But I am ready to say that, let the question be put in whatever form, a vote of this House ought to be taken. I think that it is not in accordance with the principles of the constitution or with the interests of the country that the Government of a great nation should be understood and believed to owe their existence to the sufferance and forbearance of the House of Commons. They are weakened for any purpose of domestic legislation; they cannot pursue or carry out their own opinions; they are tempted to pick up stragglers wherever they can find them; they are driven to depend upon stray votes; they are compelled to take a course unworthy of a Government, and they are prevented from acting in accordance with the system and principles of the party by which they are supported. Whatever may be the issue of this debate, I think that this is a proper debate to urge the House to go into. If the decision of the House should be adverse, and if the result of the division should be a change of Government, I think that, following the comparison that the Chancellor of the Exchequer made, but without going into the comparative merits of individuals, the ranks of the Liberal party afford the means of forming a Government quite as efficient as the Government sitting upon the benches opposite—a Government which I may be permitted to say has lost some of its ablest Members. One noble Lord was thrown over, like another Jonas, upon the India question to save his colleagues. Two others seceded in consequence of differences upon their reform measure. I lament not to see in his place a fourth Member of the Government (Sir E. B. Lytton) who is absent from reasons which we all most sincerely regret, and which we trust will be of short duration, since we shall be delighted to see again in his place one who has so often charmed us by his eloquence, however we may differ from him in his conclusions. Well, Sir, looking to that remnant of a shattered Administration, I think it is not too much to presume on the part of the Gentlemen who sit on this side the House that it will be possible to form an Administration, the elements of which are as deserving of confidence as that which now sits upon the Treasury benches. If on the other hand, the Amendment is defeated and if, by a majority of votes, the existence of the Government is affirmed, I would rather that result should take place than that things should go on as they do now. It would be better for the country that the present Government in that case should be seen to have the confidence of the House. Their hands would be stronger. In domestic legislation they would be able to carry the measures they might think necessary. They would be better able to reconcile contending nations abroad, to avert the disaster of war, and to establish peace upon a basis at once firm and honourable. I am not in the least daunted by the indications that have come to us in mysterious and inarticulate sounds from the other side to the effect that they are in a majority. I should much rather that they should be in a majority, and that we should go out to be counted in the two lobbies, than that we should go on in the unconstitutional condition that we have hitherto been. I will not longer trespass upon the attention of the House; but this I will say, that I am satisfied this debate cannot be brought to a close until many Members have expressed their opinions. It is a matter of too much consequence to the country, of too much regard to the honour and interests of the nation, to pass off like a turnpike-bill division at four o'clock in the morning, or by a "scratch" vote taken without discussion. If on the other side there are Members who have reasons to urge why you should not adopt this Amendment, let them be heard, and they will, no doubt, be answered by many who are capable of making a defence on this side. Let the House and the nation hear, and let Europe know, the grounds upon which you think you are entitled to the confidence of the country. A vote so come to would carry weight with it as the decision of the people, and, whichever way it turns it will be better than the present state of things.

MR. SERJEANT DEASY said he would move the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER said, that after what had occurred it would be useless to oppose the adjournment. It would be better to adjourn until Thursday.

Debate *adjourned* till *Thursday.*

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, June 8, 1859.

MINUTES.] PUBLIC BILLS.—1° Endowed Schools; Jury Trial (Scotland) Act Amendment.

EAST INDIA (CABUL AND AFFGHANISTAN).

MOTION FOR PRINTING RETURN.

MR. HADFIELD moved that the Return relating to East India (Cabul and Affghanistan), presented the 24th of March, be printed. He stated that he made a similar Motion during the late Session, but the Government opposed it on the ground of expense. He had since ascertained that the printing would cost no more than £125, and, as the papers were of great historical interest, and would throw light on an awful tragedy which arose out of the Affghan war, he hoped the Government would now offer no opposition to his Motion.

Sir HENRY WILLOUGHBY seconded the Motion.

Sir STAFFORD NORTHCOTE said, he did not rise to oppose the Motion on behalf of the Government; but, on behalf of the Printing Committee, he had to say that, in their opinion, there was no sufficient reason for putting the country to the expense of printing these papers, which were not wanted for a practical purpose. The papers were in the library, and were accessible to any hon. Member who might wish to have them copied or published.

Sir HENRY WILLOUGHBY said, if he felt that the papers were merely of historical interest, he should not have seconded the Motion; but it was alleged that they had been garbled and mutilated, and misrepresented the conduct of distinguished persons in India. It was, therefore, important that they should be printed, in order to ascertain whether they were in the same shape as when they reached this country.

Mr. SOTHERON ESTCOURT suggested, that before the expense of printing the papers was incurred, the hon. Member for Sheffield should examine them, and ascertain whether there was any ground for the allegation that they were garbled. Even if he should find that to be the case, the printing of extracts from them might answer the hon. Member's purpose.

Mr. HADFIELD continued to press his Motion.

Return to be *printed.*

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Thursday, June 9, 1859.

Minutes.] *Sat First in Parliament.*—The Lord Tyrone, after the Death of his Brother; The Lord Conyers, after the Death of his Uncle the Duke of Leeds.

Took the Oath.—Several Lords.

Public Bills: — 1ª. Vexatious Indictments; Debtor and Creditor; The Companies (1859).

2ª. Law of Property and Trustees Relief Amendment.

THE CATHOLIC UNIVERSITY OF DUBLIN. QUESTION.

The Earl of SHAFTESBURY said, he wished to put a Question to the noble Earl the First Lord of the Treasury upon a subject which had excited public attention. He doubted not there had been a great deal of misunderstanding and misrepresentation with regard to it, and he thought the Government should give some explanation of their real intentions as to the rumoured grant of a charter to the Roman Catholic University in St. Stephen's Green, Dublin. Attention was first called to the matter by the language which had been used on the occasion of a deputation which waited on the Chancellor of the Exchequer just before the dissolution, and subsequently by a speech which had been delivered by Mr. Bowyer. He wished to set these doubts at rest, and for that purpose he would now ask, in the words of a notice which he had sent to the noble Earl, Whether it be the intention of Her Majesty's Government to advise the grant of a charter to the Roman Catholic University of St. Stephen's Green, Dublin, or whether any negotiations are pending with that object?

The Earl of DERBY: I have no difficulty, my Lords, in answering the question of my noble Friend, by saying that it is not the intention of Her Majesty's Government to advise the Crown to grant such a charter. With regard to "negotiations," I can only say that the reply from me as to whether negotiations have taken place depends upon what the noble Earl means by the word. It is undoubtedly true that on two occasions memorials have been presented to the Government by Roman Catholic gentlemen, expressing their wish that a charter should be granted; but no promise has been given, and no expectation has been held out that the recommendations of the memorialists would be complied with. With respect to another portion of the noble Earl's statement, I have to say that until after I received notice of this Question, I did not know what had been said in conversation by my right hon. Friend the Chancellor of the Exchequer; but since receiving notice of the Question, I have made inquiry of my right hon. Friend, and have been told by him that he had seen a deputation on the subject, and had promised that the matter should be taken into consideration.

THE QUEEN'S ANSWER TO THE ADDRESS.

The LORD STEWARD of the HOUSEHOLD (the Marquess of Exeter), brought up the following gracious Message from Her Majesty, in Answer to the Address :—

"My Lords,

"I thank you sincerely for your loyal and dutiful Address.

"It is very gratifying to Me to be assured that the Measures of legal and social Improvement which will be again brought before you will receive your careful Consideration: and I rely with Confidence on your cordial Assistance in My Endeavours to preserve to My People the inestimable Blessings of Peace."

DEBTOR AND CREDITOR BILL.—THE COMPANIES BILL (1859).

BILLS PRESENTED AND READ 1^a.

The **LORD CHANCELLOR** *presented* these Bills and said that, with their Lordships' sanction, he would pass these Bills through the House with as much rapidity as the forms of the House would permit. The Debtor and Creditor Bill underwent considerable discussion in the last Parliament, and he had communicated with his noble and learned Friends who took great interest in it. He understood that one of his noble and learned Friends (Lord St. Leonards) proposed to introduce a clause which he thought was absolutely necessary to make the Bill complete. He proposed to take the second reading of both Bills to-morrow, and his noble and learned Friend could move his clause when the Debtor and Creditor Bill was in Committee. The other Bill was acquiesced in so completely by their Lordships that he did not anticipate any discussion upon it.

Bills read 1^a, and to be read 2^a To-morrow.

THE WHITSUNTIDE HOLYDAYS.

The Earl of **DERBY** said that, although he did not suppose their Lordships were very much exhausted by the labours of the present Session, yet he should, if no business which rendered it imperative that they should sit in the early part of next week arose, propose to-morrow evening that the House should then adjourn until the following Thursday, for the Whitsuntide holydays.

Afterwards,

The Earl of **DERBY** said, that he understood from the noble and learned Lord on the Woolsack that it would be convenient that their Lordships should meet on Wednesday next, in order to dispose of some judicial business. He would therefore give notice that to-morrow he should move the adjournment of the House until Wednesday next, with the understanding that judicial business only would be transacted on that day.

THE VERNON AND TURNER GALLERIES OF PICTURES.

CORRESPONDENCE MOVED FOR.

The Earl of **SHAFTESBURY** moved,

"That there be laid before this House, Copy of the Correspondence between the Trustees of the National Gallery and the Council of the Society for the encouragement of Arts, Manufactures, and Commerce, with reference to the Opening of the Vernon and Turner Galleries of Pictures at South Kensington of an Evening; and also for Copies of all Letters and Memorials on the same Subject which may have been received by the said Trustees up to the date of their making the Returns now moved for."

The Marquess of **SALISBURY**, on behalf of the Government, said, he should offer no objection to the production of the correspondence.

After a few words from Lord Monteagle,

Lord **OVERSTONE** said, that this Motion was premature. He could assure their Lordships that the Trustees of the National Gallery sought to promote no other end than that the treasures in their custody should, as far as possible, be open to the public, and made to contribute to their rational amusement as well as their intellectual improvement, but always consistently with their safe custody and preservation. The question of opening picture galleries in the evening was, however, entirely a new one, and before such a step was taken the effect of gaslight upon the paintings ought to be carefully considered. No national collection of pictures in the world had, he believed, up to the present, been thrown open in the evening; but whether that might be done without any injurious result was, no doubt, a point deserving of attention. He had only to add that he had attended a meeting of the Trustees of the National Gallery on Monday last, when Sir Charles Eastlake had undertaken to investigate the question with a view to its solution. The trustees had received a vast mass of letters offering suggestion from the Secretaries of Mechanics and other Institutes, and if all these were printed he thought great expense would be incurred without any corresponding benefit. He would not, however, oppose the noble Earl's Motion, if he thought proper to persevere with it.

LORD ST. LEONARDS was of opinion that great danger would result from lighting up the National Gallery or any other of our great picture galleries at night. He could not, also, help remarking that the National Gallery was even at present used for the purposes of conversation and appointment, and he could not help thinking that if the galleries in question were opened in the evening matters might become still worse in that respect.

THE EARL OF DERBY said, there could be no sort of objection to the papers asked for by his noble Friend; but the present was hardly the time for the discussion of the question whether the gallery should be open at night or not.

LORD STANLEY OF ALDERLEY said, he did not wish to pronounce an opinion on the propriety of lighting up the Gallery with gas; but he would remind the House that the Sheepshanks' Collection was now exhibited at night, and that a valuable boon was thus granted to persons who had not time to inspect these pictures during the day. He would suggest to the Government whether some plan might not be adopted by which the light should be admitted from the top, as in the House of Commons, so that the fumes of the gas could not injure the pictures.

Motion *agreed to.*

THE MILITIA.—QUESTION.

THE DUKE OF NEWCASTLE asked, when the Report of the Commission appointed last year to inquire into the state of the Militia of the United Kingdom would be laid on the table. It was important that that Report should be produced with as little delay as possible, because he knew that in various militia regiments arrangements were kept in suspense until its recommendations could be ascertained.

THE MARQUESS OF SALISBURY said, the Commission, of which he was a member, had been forced to adjourn for a considerable time, but would renew its sittings on Monday next, when he believed its Report would be considered.

House adjourned at a quarter before Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 9, 1859.

MINUTES.] PUBLIC BILLS.—1° Church Rates Abolition; Edinburgh, &c. Annuity Tax Abolition; High Sheriffs' Expenses; Newspapers, &c.

LORD'S DAY OBSERVANCE ACT.

QUESTION.

MR. T. DUNCOMBE begged leave to call the attention of the Secretary of State for the Home Department to Return No. 192, for which he moved at the close of the last Session, relative to convictions and penalties inflicted on the Poor, under the Act 29 *Chas. II.*, by magistrates of the county of Southamption for selling fruits or sweets under the value of one penny. The first case was that of John Broom, who for having sold twopenny worth of sweets, was fined 15*s.* 6*d.* or two months in the stocks. [*Laughter*]. He begged pardon, he meant to say for two hours in the stocks—[*A laugh*]—and that was quite as absurd in such a case as a sentence of two months. The second case was that of Joseph Ward who was fined 15*s.* 6*d.*, or two hours in the stocks, for selling one farthing's worth of apples and two farthing candles. The third case was that of Edwin Dyer, who was fined, 13*s.* 6*d.* or two hours in the stocks, for having sold some chestnuts, some rock, and a cocoanut. The last case was that of William Tyer, who was fined 13*s.* 6*d.*, or two hours in the stocks, for having sold a certain sweet (not worth 1*d.*) called bull's-eye. Appended to the return was a copy of a memorial, signed by respectable inhabitants in the neighbourhood of Gosport, against the enforcement of these penalties. The Secretary of State for the Home Department must be aware that apples, oranges, newspapers, and many other things were sold in the streets of London from morning till night on Sunday. The confectioners' and the tobacconists' shops were open for the convenience of the rich on Sunday. He wished, therefore, to know, whether, the Government would bring in a Bill to repeal this old obsolete Act of 29 *Charles* II., or so to amend it that the law should be administered equally to the rich and the poor throughout the country.

MR. SOTHERON ESTCOURT:—Whenever a poor man was subjected to a pecuniary penalty, it necessarily appeared to be a hardship, but he could not say that in the four cases which had been referred to by the hon. Gentleman there was anything improper in the conduct either of the police who had brought the matter under the cognizance of the magistrates, nor did he observe that these, in their decision, had gone in any respect beyond the ordinary administration of justice. Sufficient notice of the question had not been given to enable him to communicate with the magistrates before whom this transaction took place, and he was therefore unable to give an opinion with reference to the discretion which they might have exercised. He presumed, however, that their decision was not pronounced with the object of punishing any particular poor man, but with a view to the observance of the law, which, though spoken of as obsolete, was yet the law of the land ; and it was the duty of all persons in the position of magistrates to see that it was enforced. With regard to the Question that had been put to him, his opinion was that so long as the Act of *Charles* II. remained on the Statute-book it ought to be uniformly and evenly observed. At the same time, he did not mean to say that he thought it was obligatory that anybody selling anything on the Lord's day should immediately be dragged up before a justice—a certain amount of discretion he understood to be left to those having the administration of the law. The hon. Gentleman having put a question to him, he might in return ask him another. As he was clearly in favour of the repeal of this law, would he undertake to try the question in the House? Let the hon. Gentleman test the sense of the House and the country on the subject, and he would promise to give to his proposition, if made, his best consideration. He would only say that whatever the law was, it ought, in his opinion, to be uniformly acted on throughout the country.

TRANSFER OF LAND.

QUESTION.

Mr. SCULLY asked the Solicitor General whether the Bill to simplify Title to Landed Estates, and the Bill to establish a Registry of Landed Estates, the progress of which was interrupted by the dissolution, are among those measures of legal and social improvement referred to in the Speech from the Throne, as intended on the part of the Government to be again brought under the consideration of the House during the present Session?

The SOLICITOR GENERAL: The Bills to which the hon. Gentleman refers are quite ready for introduction into the House, and it is my intention on the part of the Government to introduce them at the earliest opportunity.

LAW OF LANDLORD AND TENANT (IRELAND).—QUESTION.

Mr. SCULLY asked the Attorney General for Ireland when he will lay before the House his promised Bill or Bills to improve the law of Landlord and Tenant in Ireland, and to secure compensation for improvements to evicted tenants?

Mr. WHITESIDE said, he promised last Session to bring in a Bill relating to the law of landlord and tenant in Ireland as soon as the House had dealt with two Bills which he had introduced relative to judgments in Ireland, and to the management of estates by receivers appointed by the Irish Court of Chancery. It was his intention during the present Session to pursue the same course with regard to these Bills, and his right hon. Friend the Chancellor of the Exchequer had promised to allow him to introduce the two Bills in question on the first Government night after that on which the financial statement should be made.

WAR IN ITALY.—THE BRITISH COMMISSIONERS.

ADDRESS FOR INSTRUCTIONS.

Mr. T. DUNCOMBE moved that an Address be presented to the Crown for Copy of the Instructions given to each officer sent by the British Government to the head-quarters of the armies in Italy, of Austria, Sardinia, and France, together with any Correspondence that has passed between the Government of England and those countries relative to such mission. The hon. Gentleman said he believed it was quite unprecedented on the part of a country that was neutral to send an officer to the head-quarters of the armies of belligerent nations for the purpose of obtaining reports of what was going on there. That appeared to him to be establishing a sort of military espionage over armies with which we had nothing to do, and with whose contests we professed to have nothing to do. If these officers were to report to the Government, and the country had to pay for their reports, he hoped, at all events, that the information they sent to the Government would be laid on the table of the House for the benefit of the country at large.

The Motion was *agreed to.*

THE ADDRESS IN ANSWER TO HER MAJESTY'S SPEECH.—AMENDMENT.

DEBATE RESUMED. (SECOND NIGHT).

Order read, for resuming adjourned Debate on Amendment proposed to Question [7th June],

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Thanks of this House for Her Majesty's Most Gracious Speech from the Throne. "To, &c. [*see p.* 104].

And which Amendment was, at the end of the Question, to add the words—

" But we beg humbly to submit to Her Majesty, that it is essential for securing satisfactory results to our deliberations, and for facilitating the discharge of Her Majesty's high functions, that Her Majesty's Government should possess the confidence of this House and of the Country; and we deem it our duty respectfully to represent to Her Majesty that such confidence is not reposed in the present Advisers of Her Majesty."

Question again proposed, "That those words be there added."

Debate *resumed.*

Mr. Serjeant DEASY said, he was sure he should not ask in vain for the kind indulgence of the House while he laid before them the reasons which he thought ought to influence them in adopting the Amendment which had been proposed by the noble Lord the Member for North Lancashire in a speech which gave such great promise of future excellence. At the outset he must congratulate the right hon. Gentleman the Chancellor of the Exchequer upon the admirable state of discipline to which he had brought his Parliamentary forces. Composed as they were, in a great measure, of what might be called raw recruits recently raised in the country, he thought their obedience to the word of command was highly creditable to the right hon. Gentleman's powers of drill. There could not have been a better test of this than what occurred last Tuesday night, for, although there were upon the benches opposite, as experience in the Reform debate had shown, gentlemen representing counties—not dumb, bucolic animals, but gentlemen gifted with powers of addressing the House with great effect, and willing also to use those powers—yet such was the state of discipline of the party opposite, that, in obedience to the wishes of their leader, they all abstained most cautiously from giving expression to their opinions; and no taunts, no arguments, could induce those hon. Gentlemen to break the spell which had been thrown around them by the great enchanter. Now, however creditable to the rank and file of the ministerial party that discipline was he did not think it equally creditable to their leader. He did not think it a fair manœuvre even in parliamentary warfare. In a new House of Commons, just called in answer to an appeal to the country, it was not consistent with the dignity of the House, or with the character of Her Majesty's Government, to attempt summarily and speedily to force a precipitate division. He quite agreed with the right hon. Gentleman that no time should be lost, not even an unnecessary hour, in giving a verdict of the House in answer to that appeal; but he did think that neither the House nor the country would be satisfied by a chance majority obtained by a manœuvre and a chance surprise, on whichever side it might be. He was glad that the manœuvre had been defeated, and that the surprise had failed; and that, whatever might be the decision of the House, whether for Her Majesty's Government or against, at least the country would know what was the real opinion of the House. With these preliminary observations he would address himself to the question which was the subject of their discussion, and he wished in the first instance to allude—and as he was the representative of an Irish constituency he hoped the House would not consider him out of place in alluding to the constitution and conduct of the Executive Government of Ireland under the Earl of Derby. When the present Government was placed in power he entertained serious apprehensions for the social condition of Ireland, arising from their advent to power. He feared it would have the effect of reviving and embittering those social differences and religious asperities which were so much to be dreaded, because they had been productive of so much mischief in Ireland. In that respect, he was willing to admit his anticipations had not been realized. His countrymen had borne the change with greater equanimity than he anticipated. He made the admission most frankly, and he was glad of it. He could assure hon. Gentlemen opposite that he entertained so great an abhorrence, not only on personal grounds, but on account of the effect on the prosperity of the country, of any revival of religious feuds in Ireland, that he would not willingly purchase any advantage, either to himself or to the party to which he belonged, at so serious a sacrifice. But he did think there were serious objections to the constitution of the Executive Government of the Earl of Derby in Ireland. His Lordship placed in the highest offices of the State two gentlemen, eminent in their profession, gentlemen who had obtained for themselves great distinction in that House—gentlemen to whose eloquence he had ever listened with great pleasure, excepting only when that eloquence was directed against himself, and of whose success he had himself felt proud—he meant the present Lord Chancellor of Ireland and the present Attorney General for Ireland. Unfortunately—he meant of course not the slightest disrepect to those gentlemen, never having had a personal difference with either—still it was a misfortune to the country that these two gentlemen should have been placed in the highest position in Ireland. They had uniformly distinguished themselves in debates in that House on Maynooth and on other topics, by expressions of opinions, no doubt sincerely and conscientiously entertained, but which were hostile to the opinions of the majority of Her Majesty's subjects in Ireland. They were also connected with a party the recollections of whose rule in Ireland were, to say the least of it, not agreeable in that country. The consequence had been, that since their advent to office the distribution of the patronage of the Crown had assumed an exclusive character. He did not blame them for that. It was natural that, being placed in power, and having an uncertain tenure of it, they should wish to advance the interests of their party. It might not be their fault, but it was their misfortune and that of the country, that the Executive Government in Ireland should be so constituted as to regard with jealousy and distrust, and to be regarded with jealousy and distrust by, the great bulk of the Irish people; and that those who constituted the majority were excluded from all patronage. That exclusion was not confined to the patronage of the Crown; but, unfortunately for the Government and for the country, the same system of exclusion had pervaded even the formation of juries and the conduct of political prosecutions both in the south and north; for whilst in Kerry every Roman Catholic had been excluded, in Belfast every Liberal Protestant had been excluded, and he must say that he could not regard the statements which had been made that evening by the right hon. Gentleman the Chancellor of the Exchequer and the right hon. and learned Attorney General for Ireland, as amounting to anything like a promise that any substantial measures of relief were contemplated by the Government. On the other hand, he had heard with regret the statement which had been made by the right hon. and learned Attorney General that the Government intended to propose an alteration in the system of national education in Ireland in order to make it conformable with the views of the Church Education Society in that country. For these reasons he should be anxious to substitute for the present Irish Executive one that would not govern by and through and for a minority, but by and through and for the great bulk of the people. Now, this subject of the government of Ireland was not only relevant to the Amendment before the House, but was of peculiar importance on the present occasion. Important at all times, it derived paramount importance from the circumstances in which the country was now placed. We were now in deep water, and we might approach the region of storms. War had broken out in Europe, the progress and termination of which no man could foresee; and he would tell all parties, Liberals and Conservatives alike, that it was important with reference to Imperial interests, as well as to the interests of Ireland, that that feeling of jealousy and distrust of all Governments which was so deeply implanted in the Irish mind should be removed or mitigated, and that immediate measures should be taken for its removal; but he did not believe that that jealousy and distrust could be removed or mitigated until the right hon. Gentlemen opposite ceased to be the rulers of Ireland. He might be told that the result of the Irish elections was rather at variance with the statement he had made, but he confidently asserted that that result did not represent any change in public opinion or public feeling in Ireland. He admitted that a considerable portion of the Ministerial gain derived from the late dissolution had come from Ireland; but for that success they were indebted partly to the territorial influence—he did not speak of undue influence, but of the power naturally exercised over electors unprotected by the ballot and dependent upon the will of their landlords for the possession of their farms, and on the possession of their farms for their subsistence, and partly to the feeling of disappointment created by hopes unfulfilled and expectations unrealized under the Liberal Governments which had preceded them in Ireland. They were also indebted for it to gentlemen who differed from them upon every political question, but who, nevertheless, supported them at the recent elections. He was glad, however, to hear the Chancellor of the Exchequer say the other night that that support was not obtained as the result of any compact or promises of favours to come; but it so happened that, before and pending the late elections, statements were made by gentlemen who were supposed to be well acquainted with the intentions, and to be in communication with the leading Members of the Government, in which it was alleged that concessions—and large concessions—were contemplated, and those statements were not disavowed until after the returns had been made. He quite agreed that there was no reason why there should not be Roman Catholic Conservatives as well as Roman Catholic Liberals; but he had observed with pain that at many of the recent English elections, when men who had always been the champions of the Catholic cause were opposed by Conservatives, the votes of the Roman Catholic electors had been given against their old friends. He did not think that that was consistent with gratitude, policy, or justice, nor could he admit that the concessions which had been made liberally and frankly by the Secretary for War—who, he believed, had been actuated solely by a sense of justice to the Catholic soldiers, and not by any political motives—afforded a sufficient reason for forgetting the services, long tried, unpurchased, and unpurchaseable, of the Liberal party. There were, he thought, three grounds upon which the Amendment before the House could be maintained and might be justified. They were asked to declare that they reposed no confidence in Her Majesty's Ministers; and in answering that question, the House had a right to consider—first, their political antecedents previous to their accession to power; secondly, the success or failure of their legislative measures since they had occupied the benches opposite; and thirdly, their administrative efficiency, and particularly their foreign policy. With respect to their political antecedents, he did not mean any disparagement to them; but he must say that those antecedents were not such as were calculated to recommend them to the confidence of a Liberal House of Commons. Their whole lives had been spent in opposing every measure which originated with the Liberal party, and which had been successfully carried by that party. They had hitherto acted as the party of resistance; and it would have been better for their future efficiency and for the cause of constitutional government in general, if they had remembered their antecedents and never abandoned the functions of the party of resistance to assume the functions of the party of progress. With regard to the success or failure of their legislative measures, the right hon. Gentleman the Chancellor of the Exchequer had deprecated the trial of the Government by any such test as that. The right hon. Gentleman said that their failure in previous Parliaments was no reason for refusing them confidence in this. Now, that was an argument which he could well understand if their measures had failed, because of the opposition that had been offered to them in the late House of Commons, and if the Government were prepared to reintroduce those measures into the new House; but if that failure was to be ascribed to the inherent defects of the measures themselves, it afforded a fair test of the capacity of the Government and of those with whom the measures originated. At any rate he should apply that test to them. They had endeavoured to introduce three important Bills in the last Parliament. They attempted to legislate on the Government of India, for the settlement of the Church Rate question, and the representation of the people. Each and all of the great measures which they had introduced had been signal failures. The India Bill was received with derision and did not go to a second reading; the Church Rates Bill was displeasing alike to Churchmen and Dissenters; and the Reform Bill was as universally condemned as any measure ever introduced into that House except their Indian Bill. Except the occupants of the Treasury Bench no one defended it but the hon. and learned Member for Cambridge (Mr. Macaulay). What course had the Government pursued with respect to that question? When the Bill was before the House they adhered to the standard of the borough franchise as fixed by the Reform Bill of 1832. Rather than depart from that they sacrificed the services of two of their colleagues, who now sat behind them in honourable retirement. The Chancellor of the Exchequer said that hon. Members who sat below the gangway were supporting revolutionary projects, and the right hon. Baronet the Secretary for the Colonies, whose eloquence they all recognized, and whom he deeply regretted that they should not hear in the course of this debate, warned those who supported the Amendment of the noble Lord the Member for the City, that the principle for which they contended would inevitably lead to the abolition of small boroughs and pave the way for the advent of democracy. The Amendment was adopted, and against the remonstrances of their own friends—of the right hon. Gentleman the Member for the University of Cambridge, who was their colleague—of the right hon. Gentleman the Member for the University of Oxford, whom, if report spoke true, they desired for a colleague, and of the right hon. Gentleman who recently contested the West Riding of Yorkshire—the Ministers recommended a dissolution of Parliament. The result of that dissolution had been that they had gained an accession to their numbers of 30. By what means that was obtained he did not inquire, because there were no materials—no evidence on which to decide. That, of course, was a matter yet to be investigated. He would not, therefore, make any charge. He had no evidence against them of having exercised any other than that legitimate influence which all Governments were in the habit of using. The Liberals in that House now met, he admitted, with diminished numbers, though he hoped not with diminished strength. "The pressure from without" was calculated to produce, and he hoped had produced, greater cohesion within—a cohesion not obtained by any sacrifice of principle above or below the gangway, but by mutual concessions—yes, by such mutual concessions as those who had not sworn to the words of any one, who had not bound up their allegiance with any particular leader,

"Nullius addictus jurare in verba magistri,"

must necessarily make in order to secure combined action in the conduct of public business. And what was the conduct pursued by the Government on the first night of the Session, after a vote of want of confidence had been proposed by the Liberal majority of the House? They said, first vaguely through the lips of the hon. and gallant Mover of the Address, and then more explicitly through the lips of the Chancellor of the Exchequer, that they were prepared in a future Session to adopt that very principle of the reduction of the borough franchise which they had previously described as revolutionary and stigmatized as paving the way for democracy. Why was not that announcement made before, and why was it made now? It was not made before simply to admit of their candidates presenting themselves at the hustings with some pretence to the character as well as to the name of Conservatives. It was made now for the purpose of obtaining, if possible, some few stray votes. In one instance, he hoped a solitary one—that of the hon. and learned Member for Southampton (Mr. Digby Seymour)—this declaration had obtained a vote; but he did not believe that the example would be followed by many. He hoped and trusted that it would not. He would, however, appeal to the gentlemen of England whether this was conduct of which they could approve, and to the Chancellor of the Exchequer and his colleagues he might address the question which the right hon. Gentleman himself once addressed to an eminent statesman when seated on the Treasury Bench: "You call yourselves Conservatives? Conservative of what?" They were certainly not Conservative of our Parliamentary constitution, because they proposed to destroy, or so greatly to enlarge the basis of that constitution. Such, then, had been the course of their domestic legislation. With regard to their foreign policy, when last Parliament met, peace, though precarious, had not been broken; the Government presented themselves in the character of mediators, and they told the House and the country that upon their continuance in office depended the preservation of peace in Europe. They warned the House against any change of Government, lest, thereby, tranquillity might be endangered, and they said that negotiations were pending by which they hoped to ensure the continuance of tranquillity. That that prediction had not been verified was proved by the event. The danger they had warned the House of had occurred. War had broken out; one fair portion of Europe was already desolated by its horrors; and no one could say where or when it would terminate. The Chancellor of the Exchequer had said that failure did not necessarily imply incompetency, and he agreed with the right hon. Gentleman. He also said, and he was right, that the House had not as yet before them all the particulars of the negotiations which had eventuated in so unfortunate a result. It was true that the House had not the papers before them which would enable them to judge of the conduct of these negotiations; but surely those who read the public prints had seen quite enough to enable them to form some opinion upon the subject. They had seen in the affair of the *Charles et Georges*, in the sudden abandonment of the propositions for mediation submitted through Lord Cowley to the French and Austrian Emperors, and the equally sudden adoption of the Russian proposal for a Congress, to which was immediately ascribable the breaking out of hostilities, that the interests of this country would not be materially prejudiced by the removal of the Earl of Malmesbury from the Foreign Office. With respect to the other departments, he had no doubt that right hon. Gentlemen opposite discharged their duties with great zeal, efficiency, and anxiety to promote the public service; but it was no disparagement to them to say that their continuance in those offices was not indispensable to the public interest. They had also discharged their duties with great courtesy; but he trusted that there were to be found on that (the Opposition) side of the House hon. Gentlemen of equal ability and zeal, who could discharge their duties with equal efficiency and courtesy. The question had been asked what were the consequences to result from the adoption of the Amendment, and the Liberal party had been taunted with their dissensions; but that was a taunt which he thought might be retorted upon hon. Gentlemen opposite. Did the noble Lord the Secretary for India (Lord Stanley) agree on all important political subjects even with his colleagues in the Cabinet? In the last Parliament they had a remarkable proof that he did not, when a measure relating to church rates was before the House. Was there no diversity of opinion between the right hon. the Chancellor of the Exchequer and many of those who sat behind him? Take the two hon. Members for North Warwickshire for instance. Was there a perfect coincidence of opinion on every important question between the right hon. Gentleman and them? Of course there were diversities of opinion among the Liberals, as there must always be among gentlemen who were not bound by allegiance to a master, but were attached to a cause. For his own part he could see no reason why, if the present Government were displaced, as he hoped they would be, a Government more strong, efficient, and durable—more respected by foreign powers, not so much affected with Austrian sympathies, equally anxious, and more able to preserve that neutrality which all so much desired, should not be the result of the change. He was sure there were abundant materials for such a Government both above and below the gangway, and he believed that those noble Lords and right hon. Gentlemen would incur a serious responsibility if, after having proposed this Amendment and carried it, they failed to present to the country such a Government as he had referred to. On the other hand he might ask what would be the consequences of failure. If the Government won they would be indebted for it to the votes of stragglers from the Liberal side—Gentlemen who differed from them on all political questions. Now, was that a satisfactory state of things? Was a Government which at the very outset of a new Parliament was only able to protect itself from censure, if it did protect itself, by a nominal majority, fit to inspire respect at home, or add weight to its suggestions abroad? Was it likely to have weight in the Councils of Europe or to preserve to us the blessings of peace? Suppose that it was able to drag on a precarious and feeble existence to the close of the present Session—a very extreme supposition—was the House satisfied to entrust in the hands of such men those negotiations for peace which would probably be opened up during the recess? He confessed, for his part, that he saw no course out of the difficulties in which the Government had involved the country by their unwarrantable dissolution, except by agreeing to the Amendment of the noble Lord. If it failed, though he did not anticipate failure, he believed that even then the existence of the present Government would not be of long duration. He would address the Liberal party in the words of the Roman poet—

> "O passi graviora; dabit Deus his quoque finem."

But whatever the consequences might be the issue to him was clear and plain. They had given the Government every advantage in the attack, with every disadvantage to themselves. In military language they had committed themselves to an assault on a strong and fortified position; to use a legal phrase, they had taken upon themselves the onus of proof. The Government might be satisfied in this case with a verdict of not proven. The Liberals must obtain a verdict of condemnation, or they did nothing. He therefore asked the House to register the decision of the country. There must now be no mistake on the matter. The question was one of confidence or no confidence in the Earl of Derby. In such a case every hon. Gentleman must, of course, decide for himself. With regard to the hon. Gentlemen below him (Irish Members below the gangway), he had no doubt that those of them who meant to support the Government were actuated by a sense of public duty alone. But, for himself, his duty was plain. From the first he had entertained no confidence in the Earl of Derby; and, believing that it was for the interest of his own country and of the empire at large that his rule should cease, and that the reins of Government should fall into other hands, he had no alternative but to vote for the Amendment of the noble Lord.

Colonel DICKSON said, it was with no ordinary diffidence that he ventured to throw himself upon the indulgence of the House—a diffidence which arose from his total inexperience of Parliamentary usages. But he felt that he would be guilty of a great neglect of duty if he allowed that inexperience to interfere with the expression of his conscientious opinions. It had been made matter of reproach to that, the Ministerial side of the House, that they had, on the former evening, allowed hon. Gentlemen on the other side to monopolize the whole of the discussion. They had been taunted with being unable, or unwilling, to explain their reasons for sitting on that side of the House. Though, as a new Member, he might be supposed not the best fitted to reply, and therefore might not feel himself individually bound to participate in the debate, he was unwilling to decline the challenge which had been thrown out. The frank admission of the noble Lord, who moved the Amendment, left no doubt that this was decidedly a party move. He had no wish to assume the authority to lay down any standard as to the principles which ought to characterize the debates of the House, but he felt that even a party move ought to have some grounds of sense and show of reason on which to found it. Now, he had watched the whole of this debate; and though the party opposite had had the sole occupation of the battle-field, he had not heard a single argument that went to prove the justice of the Motion. He would not allude to what took place in former Parliaments. It was not for him to defend the policy or the acts of Her Majesty's Ministers—it was not for him to defend men who were so much better able to defend themselves; but he must be allowed to express the belief that the dissolution of Parliament was the only constitutional course which, under the circumstances they could have pursued. He believed they had taken the straightforward line of policy in refusing to carry on the Government as the obedient slaves of an opposing majority. He believed they had acted constitutionally in advising Her Majesty to appeal to the country to send to her assistance such a body of representatives as would enable one party or another to rule with authority. And now that the House had met it was their bounden duty not to impede the course of legislation, but to give the Government a fair chance of unfolding and carrying the measures they thought beneficial for the nation. There was one thing above all others of which they were bound to take care—that if by their decision they now declared that the present Government were not to retain the reins of office, they should be prepared with a strong Government to take their places. Now, he would ask hon. Gentlemen to look round on the other side and ask themselves where that Government was to come from. It was now said that the diversities which they all knew to have existed on the other side had been arranged, while Her Majesty's Ministers were taunted with having lately lost two of their ablest colleagues. Well, he regretted that; but when he contrasted this honourable, though painful, conduct with these arrangements of differences in prospect of office on the other side, he could only say that it was not on his side, at any rate, that men consented to stifle their principles for the sake of place. The two noble Lords opposite were, it was said, ready to act together. It would ill become him to speak with any but feelings of the most profound respect of those two noble Lords, but he might ask, were the antecedents of one of them—the noble Lord the Member for Tiverton (Viscount Palmerston)—such as to lead them to believe him gifted with that combination of energy, discretion, and consideration for the feelings of foreign powers which would enable him to preserve that strict neutrality which the country so much desired? With regard to the noble Lord the Member for London, he might ask whether that noble Lord would take up as his ground of action the broad basis of the English constitution, and on those principles which he had always advocated; or whether he would extend the hand of friendship to men whom he knew to entertain opinions that, however honourably and conscientiously they held them, were opposed to the feelings of the large majority of the House and country? He would now for a moment refer to the question of that support which it was made matter of complaint against the majority of the Irish Members that they were about to give to the Ministers. It could not be said of him that he was attached to any hierarchy, but he felt unbounded pride in the thought that while he stood there as a sincere Protestant, and one who, as was known to all who knew him, was incapable of sacrificing his principles to his interests, yet he stood in that House as the representative and champion of a great Catholic constituency. He denied most emphatically that the Catholics demanded any illegitimate preponderance whatever—he hurled back with scorn the imputation that they were prepared to make their religion a matter of bargain and sale. If, then, hon. Members opposite wished to know why it was that the Roman Catholics of Ireland had supported the Government in the late elections he would answer, it was because, disgusted with the treachery of which they had been made the victims by other parties, they had made up their minds to give a fair trial and an honourable support to men who, they believed, would give them that substantial justice and due consideration to which they were fully entitled as an important element in the country. He would appeal to the Irish Members of Parliament —those men who had not always received due credit for their conduct—men whose talents had not always met in that House with that consideration which they deserved —men who, though they were opposed to him on many points, yet he believed had conscientiously devoted themselves to the welfare of their common country—he would ask them had they forgotten the treatment they received from other hands, and remembering how they had been alternately coaxed and insulted and on almost every occasion cajoled, were they prepared to see their country again made the tool of faction and the mere shuttlecock for place? Let them give the present Government a fair trial; and if on that trial they were found wanting he would be among the first to join with them in an attempt to remove them from office. But until that were proved, he asked his countrymen to join with him in giving a cordial support to men who, as he conscientiously believed, were prepared to maintain our due influence in the councils of Europe and uphold the integrity of this great empire.

MR. GRANT DUFF said, that of the many weak points which the position of the Government presented, he would select only one—the extraordinary incapacity, not to use a stronger term, which had been shown in the conduct of our foreign relations. The hon. Gentleman who moved the Address had observed that the feeling of the country in favour of neutrality had been so unequivocally declared that it was impossible to withstand it. Was this quite true? Were the days of English statesmanship so completely gone by, that Her Majesty's Ministers were to be now and henceforward nothing more than the middlemen who transmitted the commands of popular opinion, as proclaimed through the daily press, to the clerks in the public offices? It would, he conceived, be admitted on all hands that the one object of every Englishman who interested himself in contemporary politics, from the first of January in this year to the day when it was announced that the Austrians had crossed the Ticino, was to preserve, by every possible means, the peace of Europe; but was it so certain that this could be best effected by a premature declaration of absolute neutrality? What if Lord Malmesbury had tried the effect of a little moral pressure upon Austria? Would Russia have been unwilling to assist in squeezing the interesting patient? Would Prussia, after a little bluster, have been so very sorry to see her nearest and bitterest enemy stripped of her Italian possessions? He said that he knew some one would tell him that this was impossible. Even now they would say the feeling in Germany is all but uncontrollable. The various Governments can hardly prevent the whole fatherland rushing across the Rhine. All this story of German enthusiasm was full of wild exaggeration. True it was that the *Augsburg Gazette* published frantic articles against France, and the *Augsburg Gazette* is called *The Times* of Germany; but names often remain in this world when realities have passed away, and the *Augsburg Gazette* was not now a fair exponent of German opinion. The *Augsburg Gazette* was to all intents and purposes an Austrian paper, although published in Bavaria. The great majority of its subscribers lived in Austria, and it was obliged to write so as to be acceptable to the Austrian censorship. Any one who wished to know the real state of feeling in Germany should consult the *Cologne Gazette*, which was now by far the most influential German newspaper. He held in his hand a copy of that paper, of date June 5th. In it he found an article in which the editor, after quoting at length the recent leader in *The Times*, which described in such strong language the feeling of Germany, went on to state that we in England were altogether mistaken about the state of things beyond the Rhine; that in truth such excitement as there was, was the result partly of philo-Austrian intrigues, and partly of an invasion panic, similar to those with which we in England are often visited, and one of which, it is amusing to learn, is now raging in the north of France, where, it appears, they expect a visit from our Guards and Militia. He would read an extract from a leading article of the *National Gazette* of Berlin, which had just reached him. It was in these words:—

> "We must admit that, while no power beyond the limits of Germany has given us the smallest cause of offence, the behaviour of Austria and of some of the smaller German States is a tissue of indiscretions."

The German States principally alluded to were, he believed, Bavaria and Hanover. The Austrian sympathies of Bavaria were of course easily accounted for. Bavaria was a Catholic country, and the clergy there very erroneously, as he conceived, imagined that the maintenance of the *status quo* in Italy was essential to the Roman Church. When, however, people spoke of Germany, they generally thought of Protestant Germany. Hanover, indeed, was a Protestant country, but, for the Austrian sympathies of Hanover, there were special reasons; an exceptionally large amount of Austrian securities was held in that country, and most of the Hanoverian families of consideration had relatives in the Austrian service. He would venture to say, that the only organ of public opinion of much repute in Germany, which held strongly Austrian views, was the notorious *Kreuz Zeitung*, and those who remembered the part which that journal took during the Russian war, knew to what section of politicians it belonged, and would care little for its opinion. When, then, the feeling of Germany was such as he had described, when Russia stood affected as she does stand affected, would it, he again asked, have been so very impossible to have exercised some moral pressure, and to have forced her to abandon so much of her pretensions in Italy as to have prevented a war? "Oh! but," he was told, "this would have been playing the game of French ambition." Would it indeed? The Government well knew that it was not from motives of mere ambition that the French Emperor entered Italy. He did not stand there to defend the Emperor; far, indeed, from that; he did not pretend, for a moment, that the campaign was commenced from any high motives, but the Government knew well the sequence of events; they remembered the state into which the Emperor had been thrown by the Orsini attempt; they knew that, for a time, he had been perfectly unmanned; they knew that soon after that period the picking of a quarrel with Austria had positively been determined on, unless some great and tangible advantage could be gained for Italian freedom. From the 1st of January onwards, well-informed foreigners in London had continually asserted that war was merely a question of time if Austria did not yield to diplomacy. The war had now commenced, but he fully believed that, whatever circumstances might force him to, the present intentions of the Emperor towards Italy were tolerably honest. The same pressure from the Carbonari, or their representatives, which compelled an intervention, would insure that. Why, then, when the Government knew all this, did they declare so unnecessarily early for the absolute neutrality of England? They did so for the same reason which has actuated almost the whole of their conduct since they came into power. They have been guided, not by what they thought right, but by what they thought temporarily expedient. They feared that if they did not immediately, in obedience to the cry of the hour, announce an absolute neutrality, that they might give us, who sit on this side, some party advantage, and so they sacrificed the substance of peace to its shadow, and preserved at best, for a little time, the base tenure of the offices, instead of conferring upon Europe a great and bloodless benefit.

MR. SEYMOUR FITZGERALD: The noble Lord the Member for Tiverton (Viscount Palmerston) made a complaint the other night that, as he said, we had left all the argument to the other side, and that it rested with the unsupported speech of my right hon. Friend the Chancellor of the Exchequer to vindicate the policy of the Government. It is true, that after the able speech of the noble Lord who moved the Amendment, the debate was continued principally from the opposite benches in somewhat desultory speeches; but I appeal to all who heard the debate of that evening whether, though the preponderance of numbers might rest with hon. Gentlemen opposite, victory and success did not rest with my right hon. Friend? Indeed, the noble Lord seemed to be of that opinion himself, when, in a debate of this importance, on the very first night he felt constrained himself to enter the lists to restore the unequal fight, and to inspirit again the flagging courage of his party. The noble Lord took up a position which has been followed by nearly all the speakers on the other side — that this House of Commons ought to refuse its confidence to Her Majesty's Government, on the ground of their failure both in domestic legislation and in the administration of our foreign relations. With reference to the first point, the noble Lord said that through the whole course of the past Session we had found ourselves unable to carry those measures which we considered desirable for the public service, and unable to carry out, as a Government, those opinions which he had expressed in Opposition. But the noble Lord may be reminded that a failure to carry measures, thought to be necessary to the welfare of the country, is not incidental to the career of the present Government only. The noble Lord may be reminded that if Her Majesty's Government attempted to settle the question of church rates and failed, that question had also been unsuccessfully treated by our predecessors. The noble Lord has been reminded, that if we were unsuccessful in our measure of Reform, the noble Lord the Member for London has been twice in the same predicament. And although the noble Lord (Viscount Palmerston) himself is not open to the same remark, he is not open to it solely upon this account, that although he promised to the House a measure of Reform, he was not able to redeem that promise. But we are told, too, that we were not able to carry our first India Bill. The noble Lord, however, was also in the same position. Night after night the Bill of the noble Lord appeared to no purpose upon the notice paper, and if I recollect rightly the history of the India Bill which was actually carried, some of its most important provisions were stoutly and stiffly but unsuccessfully combated by the noble Lord. But it appears to me, that looking at the origin of the present Government, the argument of the noble Lord is rather distinguished for its ingenuity than its weight. Under what circumstances did the Government of the Earl of Derby come into office? They came into office because, not more by the vote of this House than by the unanimous and indignant decision of the whole people of England, the noble Lord was expelled from power. The Earl of Derby was compelled, under these circumstances, to take upon himself the responsibilities of office, knowing that he was not supported by a majority in this House, because in the position in which the noble Lord the Member for Tiverton placed the affairs of this country, no other administration seemed at the time to be possible. And the argument of the noble Lord comes to this, that, because in the last Session the Earl of Derby had, in obedience to the commands of the Sovereign, undertaken to form a Government which did not possess the confidence of the majority of the House of Commons, it is the duty of this House also to refuse to us its confidence. But the noble Lord says, further, that we are not entitled to the confidence of this House, because we have not been able to carry into effect in office the opinions which we expressed in Opposition. Now, I beg to point out to the noble Lord the application of which that argument is capable. We are told that if this Amendment should be carried a Government is to be formed upon a wide basis. It is to embrace, I will not say all sections of the Liberal party, because, although the noble Lord who moved the Amendment says that the various sections of that party differ only upon details, and not upon principles, I venture to state that I see upon the Opposition benches many hon. Gentlemen who differ more widely in opinion from the noble Lord than the noble Lord differs from the Gentlemen on this side of the House. But we are told that the new Government is to be formed upon the principle of mutual concession. Now I think the House of Commons and the country have a right to know by whom those concessions have been made, to whom they have been made, and what is their general character. I would ask whether the hon. Gentleman the Member for Birmingham (Mr. Bright) who did such good service to the Conservative cause during the last autumn and winter by going about from town to town and propounding schemes that startled and alarmed the whole country —I would ask whether in this new coalition that hon. Gentleman is to carry into effect in office the opinions which he expressed in Opposition? Of this at least I am sure, that the House of Commons and the country will not extend their confidence to any Government that may be formed—

supposing this Amendment should be carried—unless it be distinctly understood what are the terms on which that Government is to be constituted, who are to make the concessions that are to precede its formation, and what are the principles by which the policy of the future Cabinet is to be guided. But leaving to those who may follow me that part of the subject which relates to our domestic affairs, I shall now venture to say a few words in answer to the argument of the noble Lord that we are not entitled to the confidence of the House of Commons on account of our management of the foreign relations of this country. The noble Lord has put his accusation against us upon this point in two points of view. He says first, that he finds fault with our administration of foreign affairs because we have not prevented the outbreak of hostilities in Italy ; and he says next, that we do not deserve the confidence of this House, because he believes that our declaration of neutrality is not sincere, and that we are, as the hon. and learned Gentleman the Member for Cork county (Mr. Serjeant Deasy) declared, inspired by Austrian sentiments. Now, with reference to the first point, I could understand an accusation being hurled against us to the effect that we had not interfered at the right time, that we had not interfered in the right manner, that we had not shown ourselves sufficiently energetic, and that we had not made the necessary exertions for maintaining the peace of Europe ; but I must remind the House that these are exactly the points upon which, in the present state of its information, it is impossible that it can form any conclusive opinion. Before you can come to any such opinion, you must read the papers which the right hon. Gentleman the Chancellor of the Exchequer has this evening laid upon the table. It will be only then that it will be in the power of the House of Commons to decide whether we have used our efforts in the right manner and at the right time, however unsuccessfully, to maintain the peace of Europe, and then I confidently anticipate its verdict in our favour. But the demand of the noble Lord that you should condemn the Government, not on account of the means which they adopted for the purpose of giving effect to their policy, but on account of the result of their efforts, is so wholly irreconcilable with every principle of justice that I am sure you will not listen to it for a moment. The noble Lord, however, seems to have been aware that the House of Commons could not pass an opinion upon the conduct of the Government without knowing what they did, and he has, therefore, volunteered to the House of Commons some information with respect to the course which they pursued. He has told us that we used language of menace to France, that we patronized Austria, and that we allowed it to be understood throughout Europe that if hostilities should break out, and if we should be engaged in them, we should be engaged in support of Austria. I know not from whence the noble Lord received that information. But of this I can assure the House, that from the beginning to the end there is not one tittle of truth in the statement which has been made by the noble Lord, that at no time did we venture to use the language of menace to a nation which, the noble Lord truly said, is proud and high-spirited, and jealous of its honour, and that we never throughout the whole of those proceedings did anything more than to hold an impartial balance between the two parties, and to give them both that advice which our position as the allies of both entitled and enabled us to give. But even if we have been unsuccessful in maintaining the peace of Europe by negotiation, it appears to me that the noble Lord is the very last man who ought to make our failure a subject of accusation. My right hon. and learned Friend the Attorney General for Ireland, in the course of the last Session, called the attention of the House to some very striking incidents which took place in the year 1848, which those who were then Members of the House cannot have forgotten, and which those who now for the first time occupy seats in Parliament can make themselves acquainted with by referring to the papers on Italian affairs for that year. From those papers they will learn that if the Italian question, the difficulties of which now menace the peace of Europe, and may, if this country do not maintain its neutrality, wrap the whole civilized world in flames, was not settled in the year 1848, that is entirely owing to the noble Lord. I will not, however, now quote the offers which were made to Her Majesty's then Government by Baron Hummelauer, and neither will I enter into an exoneration of the conduct of the noble Lord who at one time refused to accept those offers and at another expressed his approbation of them. It will be enough for me, with regard to the particular point to which I am directing the notice of the House, to refer to the recorded opinion of the noble Lord upon the Italian question. The noble Lord in a despatch to Lord Ponsonby used these words:—

> "I have to say that a question so important in itself, and so mixed up with national feeling and with traditional policy as the question whether Austria shall or shall not retain a portion of her Italian possessions, has seldom been decided simply by negotiation and without an appeal to arms; and it seems now to have become inevitable that the fortune of war must, to a certain degree at least, determine the manner in which this question between Austria and the Italians is to be settled. The part which naturally belongs to the British Government in this matter is to remain spectator of events until invited by the contending parties to interpose by good offices with a view to an amicable arrangement."

It is the noble Lord who then said the Italian question must be left to the arbitrement of arms—it is the noble Lord who then maintained that it was the duty of the British Government to stand aside with folded arms patient spectators of events, and not to interfere until the parties exhausted, perhaps by protracted contests, should have asked for the interposition of their good offices; and yet it is the same noble Lord who would then have left the matter to the chances of war, and abstained from diplomatic negotiations, that now turns round upon Her Majesty's Government and blames them, not for having undertaken negotiations, but because the negotiations which they undertook were unfortunately unsuccessful. [Viscount PALMERSTON: What is the date of that despatch?] It is dated, I think, in July, 1848. I believe that, as regards our efforts for the settlement of the Italian question, and the prevention of hostilities, I may now fairly challenge a comparison between the policy of 1859 and the policy of 1848. But the noble Lord says—and this is his gravest charge against the Government—that we are not sincere in our declaration of neutrality, and that we have been influenced throughout these proceedings by Austrian sympathies. In reply to that statement of the noble Lord I can only say that not a single word has been ever dropped, not a single act done, nor a single line ever written by any Member of Her Majesty's Government, that could in the remotest degree justify such an insinuation. But if the noble Lord challenges an examination into sympathies, if he accuses us of Austrian sympathies, I think I may not improperly ask the House to consider whether the noble Lord himself is entirely free from sympathies with the other side. I will not inquire too curiously into the nature, or the object, or the results of Imperial hospitalities. I will not speculate upon combinations at Compiègne; but I will assume that the visit of the noble Lord in that quarter was at least a compliment paid by a great monarch to an illustrious statesman, and paid, perhaps, with some desire to offer a slight acknowledgment of the earnestness with which the noble Lord endeavoured, at no distant period, to alter the laws of this country for the purpose of gratifying an Imperial ally. I wish, however, rather to refer to more recent events. The noble Lord lately made a speech at Willis's Rooms. The noble Lord was there supported by the noble Lord the Member for London, and by the hon. Gentleman the Member for Birmingham—a combination so extraordinary and so portentous that I believe any man who a few short months ago would have ventured to predict it would have been considered a fit subject for a lunatic asylum. But what did the noble Lord say upon that occasion and in such company? He made a statement of his views, which we have been informed was not entirely satisfactory, even at that early period of the alliance, to the hon. Member for Birmingham; and the noble Lord then offered an explanation of his foreign policy. In that statement he put forth as the keystone of his foreign policy the maintenance of the most intimate alliance with France. Now, there is no one who more values the alliance we have so happily maintained with France than I do. It appears to me that nothing has conduced more than that alliance to the advantage of this country, to the advantage of France, and to the advantage of Europe at large. But I must take leave to say that at the moment when this country was professing a strict and an impartial neutrality, it was not a little extraordinary for the noble Lord to have proclaimed as the first object of his Government, if it should be formed, a determination to maintain not friendly relations with both the contending parties, but the most intimate alliance with one only of the belligerents. That, however, is not all. The noble Lord made a speech on the occasion of his election at Tiverton, and in that speech he said he trusted that before the close of the campaign he should see the Austrians driven out of Italy. I can easily understand that many of those who hear that statement may in their hearts desire to see such a result accomplished; I can understand that those who love freedom and liberty may desire their extension to Italy, but at the same time I must ask whether you are at this time, above all others, going to commit the guardianship of our "strict neutrality" to a noble Lord who tells you he has one common object with the Emperor of the French, that he hopes to see the French arms successful, and that the keystone of his policy will be to maintain the most intimate relations with the Government of France? Is such a declaration consistent with a strict or an impartial neutrality? But the case does not rest even there. The noble Lord, very infelicitously, as I thought, referred in his speech to what he termed the "bad origin" of the present Government. But I ask in what did that Government take its origin? It took its origin in the expulsion of the noble Lord from power, not more by the vote of this House than in consequence of the general feeling entertained throughout the country that he was sacrificing its honour and its interests to the Government of France. The noble Lord said there were Members on this side of the House who agreed with him at the time that vote was taken. But there are also several Members on this side who are not open to that imputation, and among them is myself, for I voted against the first reading of the noble Lord's Bill. I would ask further, with reference to this leaning which the noble Lord has always shown towards the present Government of France, are you quite sure that the same noble Lord who was not unwilling to alter your laws to gratify the Emperor of the French may not be induced to modify his policy in some other respect for the same reason? In the early part of the observations I have addressed to the House I said, that in in a Government formed upon the broad basis of which we have heard, there must prevail, even in reference to their domestic policy, great differences of opinion, and that some at least of its members cannot carry out in power the opinions they expressed in Opposition. But what would be the probable position of such a Government in respect to foreign affairs? The noble Lord opposite (Viscount Palmerston) will have to forget that for his loss of power last year he was indebted, in a great measure, to the noble Lord the Member for London. The noble Lord the Member for London will also have something to forget. He must forget that as a Member of this House, he was asked by the noble Lord the Member for Tiverton, then at the head of the Government, to adopt that which he himself described as a "policy of humiliation and shame." And when this Government, that is to embrace all the talents and all the sections of the party opposite, shall be formed, I believe it will be impossible to overlook the claims of the right hon. Gentleman the Member for Ashton (Mr. M. Gibson). Now what position will that right hon. Gentleman occupy with reference to the future management of our foreign relations? I allude to this subject in a spirit of sincere friendship for the right hon. Gentleman, because I believe that he would find himself in a very embarrassing position as a member of the proposed Administration, and that he would be utterly unable to carry out in power the opinions he expressed in opposition. What were the opinions expressed by the right hon. Gentleman with reference to the policy of the noble Lord the Member for Tiverton? I assume that the right hon. Gentleman is likely to be a member of a Cabinet in which the noble Lord, from his long experience, his vast knowledge, and his great capacity, must, as far as regards foreign affairs, exercise a paramount influence; and what is the right hon. Gentleman's opinion of his probable future colleague? In the month of February, 1858, he quoted in this House, from the pages of a public journal, a passage with reference to the policy of the noble Lord the Member for Tiverton, which, he said, seemed to him to be "aimed with wonderful accuracy and with a very discriminating appreciation of the real character of the noble Lord, and of the character of his foreign policy." That passage is as follows:

> "There is no constituted authority in Europe with which Lord Palmerston has not quarrelled; there is no insurrection that he has not betrayed. The ardent partisans of Sicilian, Italian, and Hungarian independence have certainly no especial cause for gratitude to a minister who gave them abundance of verbal encouragement and then abandoned them to their fate. On the other hand" [mark this] "when Lord Palmerston has made up his mind to court the good will of a foreign power no sacrifice of principle or of interest is too great for him."

The right hon. Gentleman the Member for Ashton must admit that these words are large enough to include the abandonment even of "a strict neutrality." He then went on to say that the passage "concluded in these emphatic words:"—

> "From first to last his character has been the want of a firm and lofty adherence to the known interests of England, and it is precisely from a

want of such guiding laws of conduct that our foreign policy has degenerated into a tissue of caprices, machinations, petty contentions, and everlasting disputes."

These words are not mine. I believe them to be in many respects not just to the noble Lord. But this I must state, that if the right hon. Gentleman who said they were "aimed with wonderful accuracy at the character of the noble Lord," and who so sanctioned, affirmed, and adopted them, should join a Government of which the noble Lord is to be a leading member, he will find some difficulty in carrying out in power the opinions he expressed in Opposition. The words in question have been recently uttered; the events to which they referred are not remote; and I do not believe that the House of Commons, now that the issue is directly put before them, will by a vote of want of confidence in Her Majesty's present Government establish an Administration one of whose principal members, and upon questions of foreign policy the paramount and most influential member would be that noble Lord whose conduct has been thus described by one of his future colleagues. I leave the whole question with confidence to the issue of the vote. I believe that the House of Commons will by its vote—whether we divide to-night or to-morrow night—enable us, in strict accordance with the opinions, the wishes, and the feelings of our fellow countrymen, to carry out that policy of strict neutrality to which we are pledged—a policy which we believe to be as necessary to the interests of this country as it is to the highest interests of humanity and civilization.

Mr. BRIGHT: Sir, in the observations which, with the permission of the House, I shall address to it, I shall endeavour to confine myself strictly—or as strictly as one can do under the circumstances—to the grounds upon which I feel it my duty to support the Amendment which has been proposed. The hon. Gentleman who has just sat down has not, in my opinion, done very much to clear up the question before us. Admitting all he says to be true, it comes nearly to this—that he thinks the noble Member for Tiverton is about as bad as his own colleagues. I think that is nearly the whole effect of the hon. Gentleman's speech. Now, I am not about to defend the conduct of the noble Lord the Member for Tiverton, nor am I about to retract any single sentence that I have ever uttered with regard to him; but I may bring it to the notice of hon. Gentlemen opposite that they have almost unanimously expressed in private—and some of them have expressed in public—their deep regret that they have not been for years past ranged under his banners. I will not attempt to adduce any proofs of that fact, because on both sides of this House what I have stated is well known to be true. Sir, I am very glad that the tactics of last night are departed from, that the silent system is not to be imposed upon hon. Gentlemen opposite throughout this debate. I was afraid that we were coming back to the system which was pursued many years ago, when hon. Gentlemen were not allowed to speak upon a question, which is now happily settled, for fear they should say something that it would be almost impossible for their then leader to answer or to atone for in debate. I shall not endeavour to establish the propriety of the course I am about to pursue on at least several—I was nearly saying on any—of those grounds which the hon. Gentleman who last spoke has attempted to meet. I should not think it necessary to vote against the Government because they have insisted upon a dissolution of Parliament,—a proceeding which, no doubt, a large number of hon. Members of this House always deem objectionable. I should not vote against them merely because certain vague charges of corruption at the recent elections are brought against them, for I know that our system is balanced between considerable freedom in the large boroughs, corruption in the small boroughs, and coercion in the counties. I know further that practices which I should neither like to be concerned in nor to defend have not been confined to the present holders of power; and, unless I have more distinct proof than has yet been adduced, I should not think myself justified in supporting a vote of want of confidence in the Government on account of any charges I have heard with regard to their proceedings in the recent electoral contest. Neither should I for a moment think of assenting to a vote of want of confidence on the ground that they have not maintained peace. If they had "drifted" this country into war — if by their mismanagement they had permitted this country to become engaged in war, that might be a fair ground for such a vote; but I do not see how Her Majesty's Government can in fairness be held responsible for the maintenance of peace between two other great Powers of Europe. More than this, I admit that in this case, I have no facts before me sufficient to convince me that the Government have not done all that it was in their power to do to prevent that fearful calamity which has recently broken upon Italy. These have been alleged as reasons of complaint, and they may be reasons of complaint, but to my mind they afford no sufficient justification for the support which I am inclined to give to the Amendment. There is one point, however, with regard to which, with the views I entertain, I feel that I have great reason to complain of the conduct of the Government, and to doubt the wisdom of the course they have pursued. I refer to the neutrality to which they pledge themselves, and of which they boast. Now, I want to know whether that neutrality is a real or a pretended neutrality. I have heard from members of the Government, in whom I am free to admit I have the greatest confidence, that they are as anxious to keep out of war as I can be myself, and I do not for a moment say that this is not the fact; but I think I can show the House that the course which the Government have taken is calculated to excite doubts in the minds of many of the people of this country, and generally among the populations and the statesmen of the continent of Europe. It will, I think, be admitted on both sides that, so far as public opinion has been ascertained through the press, by means of public meetings, or by ordinary conversation in every-day society, among persons of all ranks in this country, it would be difficult to find one single Englishman, or Irishman, or Scotchman, who at this moment is in favour of our being mixed up in any way whatever with the hostilities which have been commenced. I think the cry — I may even say the positive hunger — of the people for the continuance of peace is evident from all we see, and hear, and know, and that it will be admitted by every hon. Gentleman whom I am addressing. Now, what is our position? If the peace is broken, so far as England is concerned, it can only be broken, I believe, by a voluntary act on our part, or by the act of some other Power, and I think it is quite clear that it can only be broken as regards France. It is evident that, so long as we are at peace, Austria will never attack us—can never attack us; and I think it is equally clear that, unless we have resolved upon war, it is almost as impossible that we should attack Austria. In point of fact, war between England and Austria is almost as improbable as a fight between a fish floating in a river and a horse grazing upon its banks. Surely Austria could not assail England, and there is scarcely any considerable point of the Austrian dominions assailable by England. There is, therefore, in reality no kind of danger of any accidental occurrence of war between England and Austria. The question of neutrality, then, applies almost entirely and exclusively to the Government of France. Now, what has been done with regard to this subject? I wish to make this statement to the House, because I think that while we have the cry of neutrality upon our lips nothing should be done that can render the maintenance of that neutrality difficult or impossible. From the moment war was declared—I am not sure whether before, but certainly immediately afterwards—there was a great parade of apprehension that we were going to be engaged in hostilities. I am told that there has been a considerable increase of the naval power of England in the Mediterranean. It is quite clear that that force cannot be directed in any way against Austria, or be maintained from any apprehension of Austria. Well, a great stir has been made about enlistment for the navy; and the Crown of England is exhibiting itself in the streets with advertising vans, flags, and music, for the purpose of enlisting any stray individual who wishes to change his service and his occupation. At the very time this is being done there are, I am told, in your depôts some 3,000 or 4,000 able seamen who will any day be capable of manning at least twelve line-of-battle ships. ["No, no!"] Hon. Gentlemen seem to be doubting in some measure what I say—I can only tell them that I am not a great authority on these matters, and I should not have made this statement if I had not received it from persons who are, I believe, acquainted with the facts, and perfectly able to form a judgment on the subject. Well, I do not think all these preparations can have reference to any probable hostilities with Austria. I come, then, to what has been done with regard to other means of defence. The Chancellor of the Exchequer has told us that there are in this country more soldiers than we have had at any one time since the time of the great war; and yet he invites every one who has—or who wants to have—a little notion of military affairs, to engage himself as a rifleman in the various corps which are to be formed throughout the country. I know there are gentlemen who think that these things are useful. But at least they will allow that there is, perhaps, something to be said on the other side. For myself, I rather agree with the humorous and ingenious author of the *Bigelow Papers*, who says somewhere that if there be anything more foolish or more ludicrous than military glory, it is militia glory, and I fancy that rifle corps glory is something more ludicrous still. What I want to put to hon. Gentlemen is just this:—If there be any necessity for all these things—and understand that I am not finding any fault with them—if there be only one country in Europe—namely, France, with which, under any conceivable circumstances arising out of this war, you can be brought into contest, is it not likely, and even inevitable, that all those preparations you are making, both by land and sea, at the time you tell the whole world that your forces are so great and so complete, should destroy in the minds of the French Government and the French people any belief whatsoever in the language you hold as to your professed neutrality? I dare say—I think it very likely—the rifle corps movement was merely a movement of party tactics; because we know very well that the yeomanry and the militia have served such a purpose, and probably also the rifle corps project will do something to add strength to the Conservative element in some parts of England; but what I say is, that you are driven to one of two things—either you suspect the French of designs against us, or else you contemplate at no distant period the possibility of our attacking France. One of those two conclusions I hold that you cannot escape, after the conduct which the Government has adopted. I wish, then, to ask the House whether, as rational men, apart from those superstitious fears which sometimes haunt the minds of almost everybody, there is any fair ground for adding from year to year to the armaments of this country on account of apprehended danger from France. The present Emperor of the French, in my opinion, at least in his conduct to this country, has given us no cause for this suspicion. Will the House allow me to say I have a right to be deemed one who can exercise an impartial opinion on this question? I did not approve what I call the hasty recognition of the accession of the Emperor to the Throne of France. It did not appear to me a matter about which we ought to have been enthusiastic. I never approved the intimate personal alliance which has existed between the Ministers and the Court of this country and the Court of France. I was not one of those who crowded the streets of London when the Emperor with the Empress came here, and when the Press, which now assails him, asked the people to prostrate themselves, as it were, before his chariot wheels. I never joined in that excessive and fulsome laudation of the Emperor which I have heard, I am sorry to say, from Ministers and Members on both sides of this House. Having, therefore, no feeling of hostility to any ruler or any people in Europe—and it might not much matter, possibly, to either if I had—still, standing here to discuss this question, I have an impartial opinion, and if the House permits me I will express it. I say that for what was done at the time the Emperor of the French attained his present position of power, he can owe no grudge to the Government or the people of England. I say that he went with England into the Russian war, not because he wished to go into it, but because he thought it highly useful to him; and he was evidently anxious to associate himself closely with all the foreign policy of this country. He went, too, into the war with China at the request of the Government of England; and I say he has had an opportunity since then to carry out those malevolent designs which some men think he entertains, if he had really cherished them, at the time when all the military resources of England were being sent some 10,000 miles away to suppress a gigantic and most perilous revolt. I say, then, that at this moment he has on his hands a war with a great military Power—a Power not less great, probably, than that of which he is the chief. He has enough on his hands to tax the energies of any ruler and of any people. And surely it is not necessary to appeal to the common sense of hon. Members, and to argue that whatever was the danger heretofore of our having any conflict with France coming from the side of France, that danger must be immeasurably diminished by the circumstances in which the Government of France is at this moment placed. Is it possible that that which has been proved to have been wholly imaginary before should become real now? Should we not rather say that, even if it had been real before, it must have become but imaginary now? Well, then, I argue in this way. I maintain that there is no increased cause to suspect France; but, on the contrary, if there ever was any cause, that that cause is now lessened and reduced to a *minimum*. But what is the conclusion to be drawn from the proceedings of our Government? If you agree that there is no reason for distrusting the Government of France, you are driving people to the other inference, that your own Government contemplates the possibility—nay, the probability, of an attack by this country upon France. ["No, no."] Well, I am willing to admit that disclaimer. Don't let hon. Gentlemen opposite suppose that I am charging the Government with this. I am only showing that from the unfortunate course they have taken, their proceedings lay them open to such a charge; and I shall be glad to have—as I hope during the rest of this discussion we shall have—even more frankly than we yet have had, declarations on the part of Ministers which will satisfy, not England only, but Europe, upon this great and perilous question. It is not the impression of England only. You know very well that these proceedings have created an uneasy feeling in the minds of the people of England. They think that you know something that they don't know. And when they see what is reputed to be the most powerful organ of the press in London writing in a manner to make that alarm only the more alarming, it is not to be wondered at that there should be an uncomfortable impression in England. But this is not confined to England alone. In Germany—as everybody may learn from the German press, and from all those who have recently travelled in that country—the same opinion is generally expressed, and all those proceedings of yours are quoted with the inference that as they cannot be directed against Austria, but must be directed against France, therefore the Government of England are disposed rather to take sides with Austria than with France. But if you inquire what is the feeling in Paris, and in France generally, you find that there is there growing up a great want of confidence in the British Government, very much like that which I believe prevails in this House at this moment. I don't think this arises from anything that the Government has written or has said, or from anything that their agents abroad have done; but it springs out of the circumstances I have detailed, that there is at this moment in the minds of the Government of France, and in the minds of the intelligent people of that country, who read what is going on in England, a growing conviction that the alliance which has so long subsisted is being gradually, if not rudely, rent asunder, and a coldness and apprehension are appearing where there had been friendship and perfect security. Now, Sir, I am disposed to blame the Government for all this. If they choose to say they have no such intention, I am not able to dispute it, but I am satisfied that in England and on the continent of Europe their proceedings must have been deemed to be altogether unnecessary if they were not connected with a latent belief on the part of the Government that sooner or later they would be compelled to take sides against France. And, Sir, recalling the late speech of the Chancellor of the Exchequer to his constituents. I recollect that there was—what shall I call it?—a bounce and a boasting about the pecuniary condition of this country which I did not think quite becoming in a Cabinet Minister and a financier. The right hon. Gentleman told the world that £20,000,000 a year—I forget whether for ten or twenty years—did not signify anything to an industrious people like this. And when he referred to that stupendous calamity and burden, our national debt, he said, selecting his metaphor, I suppose, from his own personal experience, "Why, it is no more than a fleabite!" I think when a Cabinet Minister, and a Chancellor of the Exchequer, speaks to a large audience of his constituents and his countrymen, it would be becoming in him to be a little more careful as to his accuracy in these matters. Does the right hon. Gentleman reflect that this very debt, which he treats thus lightly, has been the cause, during the years in which it was contracted and since, of the impoverishment of millions of families; and that there is not a gaol or a workhouse whose walls have not resounded with the sorrows of those who have found these receptacles their homes from the pressure which over-taxation has brought upon them? Well, Sir, I cannot have confidence — I am sorry to say it — in a Minister who thus endeavours to mislead the public, or in a Government whose neutrality, as far as you see any active explanation of it, is to be found only in continued and gigantic preparations for war. I am told that dreadful things will happen if there is a change of Government. That is always said when a change of Government is about to take place. An hon. Gentleman behind me (Mr. Kinglake) in an interesting book of Eastern travel, has told us that he was at Cairo when the plague was very destructive there; and he states that whenever anybody died, which was almost, I suppose, every few minutes, a company of professional howlers were employed. So I find that, whenever a Government is *in extremis*, whether it be Whig or Tory, professional howlers are engaged, and we can hardly hear ourselves speak from the wailing and lamentation with which the Houses of Parliament and the West-end resound. With respect to the next Government, however, I have no objection to look in the face those difficulties which to hon. Gentlemen opposite are so mysterious. I think that in all probability we shall have the same professions of neutrality that have already come from the Treasury bench, but at the same time I hope and believe that, so far as regards that country with which alone there is the smallest danger of our becoming embroiled, there will be felt among all classes of its people that there is somewhat less of coldness and somewhat more of sympathy than have been shown by the present Government. But I have no objection to tell the noble Lord the Member for Tiverton that I have never approved that intimate and personal alliance which has existed between France and England for a few years past. I have never thought, although it has been very popular in England, that it was an alliance which added to the dignity or to the power for good of either Government, or of either nation, and therefore I shall be glad to find, if there is to be a new Government soon formed, the French alliance converted into one that will be evident to the world by a generous and dignified conduct on the part of both Governments, rather than by a course of proceedings which seemed as if intended to separate them from the other nations of Europe. One more observation upon the question of neutrality. We should show in our foreign policy that we have learnt something from the past. The last great European war, or rather the treaty which was drawn up at the end of it, and which efforts are now being made to undo, left us with that debt, with that taxation, with that pauperism, with that wide-spread misery, of which you cannot read one millionth part in the most accurate history of the period. The Russian war, to which I was from the first opposed, is now generally felt by all classes of the people to have been a war fruitless in everything except loss of English blood and English treasure. I want both sides of the House —for we have no different interests in such a matter, nor do we pretend to a morality or a patriotism which you have not—to consider whether, after our experience during any number of years which you choose to name, it would not be a wise thing for us now to come to the conclusion that in future we shall hold ourselves strictly aloof from continental wars in which we can have no interest, or at least our interest in which can only be such as we must always feel whenever any people in any part of the world is suffering. If we do so, with the happy position which we hold in this island, with our free press, and with the friendly intercourse which exists between England and the other nations of Europe, we shall set an example that must have a great and beneficial effect, and if at any time two foreign countries should, through unhappy circumstances, become involved in war, as it would be known that it was the solemn principle of England never to shed its blood in European conflicts, we should be a tribunal altogether impartial, to which our continental neighbours could appeal with the belief that if our counsels or our good offices were asked, they would be given in that spirit of generosity and confidence in which they were solicited. I will now pass, Sir, to the other great question —a home question—on which I feel as strongly, or nearly so, as I do upon that to which I have already referred—I mean the question of Parliamentary Reform. The right hon. Chancellor of the Exchequer made everything that could be made of his position in his speech the other night —a speech which, considering the case he had in hand, was as much to the purpose as it would be possible for human ingenuity to make it. He took the course of a most able advocate when he kept all his followers quiet, and advised the prisoner not for the life of him to open his mouth, for if he did, there would be no possibility of avoiding a conviction. The right hon. Gentleman made something like a general defence of the course his Government has pursued with respect to the question of Reform, and having from past experience great confidence in the extreme generosity and simplicity of many hon. Members on this side of the House, he asked us to have faith in him for the future. But he postpones the redeeming of his vague pledge till another year, as if anybody could tell what another year may bring forth. The debt has been due to the people long. They have asked payment for years. There have been several attempts to give something like an instalment, and three months ago the right hon. Gentleman himself tendered a Bill, which met with a most unfortunate but deserved fate. He pretended to pay a portion of the debt, but he offered the people notes of the Bank of Elegance, and coin which had never passed through the Royal mint. His Reform Bill, in short, was not only not a Reform Bill at all, but the whole country has pronounced with one voice that it was anti-reform. It did not fail because he had not a majority to support the Government, for if every man on this side had left the House he could not have persuaded his own Friends to pass it into law. How many letters and remonstrances did the Earl of Derby receive from Members of his party with respect to that Bill? Nearly as many, I venture to say, as all the hon. Gentlemen now before me who were in the last Parliament. We are asked, then, to take a promise for next year. Last year we had a promise, and this year there has been a proposition which pretended to fulfil it. How it fulfilled it we all know. What reliance, then, can we place upon the promises of the Chancellor of the Exchequer for next year? Then, has the past policy of the Government on this question of reform been such as to encourage us? Where is the Reformer who can look for even the most moderate amendment of the representation from the Treasury bench? I want to see him. "Hoping all things, believing all things," let us have him upon the floor of the House, and let him give us the reason for the faith that is in him. Whereas the Chancellor of the Exchequer is supported by a party who all their lives have been opposed to everything like real Parliamentary Reform; whereas he brought in a Bill at the end of February last which would have gone far to upset whatever there is of freedom in our Parliamentary representation; whereas in the last great debate he repudiated the notion of lowering the borough franchise, and his Colleague the Secretary for the Colonies declared that theirs was a Government to maintain the supremacy of the middle classes, and shut out the working classes from political power; whereas the right hon. Gentleman now stands before us hardened and impenitent upon this question; can it be possible that, seeing all this, such is the simplicity, the innocence, the child-like faith of one or two individuals on this side that they still pin their faith to him, and believe that he is not only a Reformer, but is actually panting for the coming of next Session, when he may take the wind out of the sails of the noble Lord the Member for London, and convert me into an enthusiastic admirer of his new measure. I do not blame the Gentlemen to whom I allude; they may be in a state of mind of which I can form no adequate idea, but certainly their counterparts will not be found among the 28,000,000 of people out of doors. Let me ask the House whether it is fitting, after all that has been said and done, that the question of reform should be again thrown over for anohter year. The Chancellor of the Exchequer would not be to blame if he could not pass his Bill between this and the time when hon. Gentlemen think it their duty to kill grouse. But I say, if he had repented of his past conduct, if he were now the Reformer which some hon. Gentlemen in their innocence take him for, he would at least place his Bill upon the table and let the House see what it is. He might even read it a second time, supposing it to be a good Bill; and if in "another place" the weather should be found too hot to discuss a question which even in the coolest times cannot be palatable in that quarter, why should we not have a November Session for the passing of so important a measure? It has been said that it is impossible now to form a stable Government; and that Her Majesty must have advisers even if it be at the risk of having a Government supported only by a minority of this House. But I would ask the House, when it complains of this state of things—and it often has complained of it; it was alluded to before the dissolution, and by the words then put into the mouth of the Queen the constituencies were almost besought to send up a majority on one side or the other, that Her Majesty might secure advisers who could remain in office more than six months;—this has been the case for some time past, and when the House complains, it would inquire whether it does not arise from the state of the representative system? There is no doubt that it is caused by the absence of freedom in the county constituencies, and the mean corruption, the buying and selling of votes, in the small sections or boroughs, which place them alternately on one side of the House or the other, according to the zeal or liberality of the Government in power. In a state of the representation which contains two such elements I do not look for any return to this House which shall give such a majority to this side or to that as will enable a Government to hold the position before this country—or, if you meddle with foreign affairs, before foreign Powers—that a Government should wish to hold. Now, with regard to the new Government, the right hon. and learned Attorney General for Ireland has a peculiar interest in that question, but I presume it will be the duty of the new Government to bring in at an early period a measure of reform at least very different to the measure of the right hon. Gentleman the Chancellor of the Exchequer, and different to anything he has shadowed forth. I take it for granted, if the measure be laid on the table, that it will be one on which the Cabinet has agreed to stand, and to seek not only the votes of Parliament but the approbation of the country. That measure would give us, I assume, if the noble Lord (Lord John Russell) adheres to the very moderate programme he sketched before the dissolution, a £10 rental as the franchise in the counties, and a £5 or £6 franchise in the boroughs. In the large boroughs that, I have no doubt, would give considerable satisfaction, but in the smaller I think it would be felt that it excluded many who would be included in the larger towns, where rents are generally higher; but, altogether, it will be a very considerable and substantial extension of the franchise, and wholly different to the delusive proposition offered by the Chancellor of the Exchequer. But there is one other reason, besides the question of neutrality and that of Parliamentary Reform, by which I think it will be admitted that hon. Gentlemen on this side of the House are fully justified in the course they have taken; and I was glad to observe that the Chancellor of the Exchequer did not make any complaint of the course so taken. If those hon. Gentlemen who are now opposite were on this side of the House, I believe all will admit that this is precisely the line of action they would recommend to be adopted. Now, the Chancellor of the Exchequer has stated in general language that the Government has been doing very well, that it has not been shown that it has done anything very bad, that it has done nothing that furnishes a sufficient reason that it should be asked to walk over to this side of the House. But surely, the right hon. Gentleman knows that there were two different parties in the last election. The Address was moved by an hon. Gentleman (Mr. A. Egerton) in a speech the House liked very much; it was very unaffected and very sincere. The hon. Gentleman was returned by a great constituency (South Lancashire). Why did he go into the field against a Gentleman who last Session sat on this side of the House? There must surely have been some difference between them. Another Gentleman (Mr. S. Wortley), who had sat everywhere in the House, and who last spoke from the bench near the right hon. Member for the University of Oxford, contested the West Riding of Yorkshire, and when he boasted of the 13,000 plumpers be obtained against the 15,000 of my hon. Friend (Mr. F. Crossley), was there nothing to fight about? Had the electors of Yorkshire only been amusing themselves? Was it like riding after the hounds for exercise merely, or was there something they expected to get at the end of the chase? Why did you send down a political wanderer to give my friends in Birmingham some trouble in the election? Surely there was some difference existing between the candidates? If, then, there was anything to fight about in the election, I take it for granted, unless we are about to pass an imposition on our constituents, there is now an essential difference between your side of the House and this. I know that some hon. Gentlemen do not believe there is; the hon. Members for North Warwickshire think that their side of the House has been for some time drifting towards this, and that the gulf that separates us is neither so deep nor so broad as when I first took a seat in this House. But unless we have grossly deceived our constituents there is still a case and a cause on trial between you and us, as there was a cause on trial a few weeks ago on every hustings in the United Kingdom. Then what is it? You assume that the constituencies have sent up a majority of one way of thinking, and you suppose it is proper in us to support the Government of a minority of another way of thinking. That is an unreasonable thing to ask. I never heard of its having been asked before; and if it is ever asked again I am sure it will receive the same answer as it will receive now, unless we went to the hustings on a fradulent pretence, unless we opposed ourselves to each other when there was no cause for opposition,—I say that having come here, having taken our oaths and our affirmations at the table, and having taken our seats with the view of commencing the business of the Session. it is utterly impossible the Government can suppose—it is a mere joke to ask—that a majority of one set of opinions will consent to the permanent direction of a Government holding opinions of the contrary character. I know it is a painful thing to attend the political execution of a Government,—I am not sure that it will occur, that is a matter resting in the bosom of each individual member, and to-morrow evening may settle it,—but we cannot allow any feeling of tenderness to influence us. Some hon. Gentlemen will have to cross to this side of the House; others will have to go over to that; but we may console ourselves with knowing that the general level of happiness in the House will remain about the same. There is one other point in the speech of the right hon. Gentleman to which I wish to make some allusion. He threw out as a sort of bait, what the angler calls "making a cast,"—he threw a fly over these benches, to see if any one would rise to it; he said that the Tory party, or the Conservative party, or the Liberal Conservative party—it has so many aliases that one does not know what to call it—had never been so exclusive as the Whigs; that if it found any one on the other side possessing capacity and ability, and willing to undertake the responsibilities of office, it invited him to the Treasury bench. He said that distinguished men had sat on that bench who had had no connection with the English aristocracy; but it has always been on most stringent conditions. You allowed Sir Robert Peel to lead you? but when Sir Robert Peel did something that all the world admitted was most beneficial to the country, you cast him off. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), who rendered most distinguished service to that great question, was cast off in the same manner; and you displayed considerable rancour in doing so—a rancour such as has never been manifested on this side of the House, although the exclusiveness existing here has no doubt been deplored by many who wished to get on to the Treasury bench. Indeed, the rancour you showed was something one can scarcely comprehend, and it did immense harm to your own party, for it enabled the right hon. Gentleman the Chancellor of the Exchequer to become your leader, and to occupy the eminent and proud position in which he stands or sits, at this moment. But from what I heard said that time by the party in private about the Peelites, I have always had an idea that many hon. Members opposite had got their reading of the Old Testament rather confused, and that they had somehow mixed up the Peelites with the Hivites and the Hittites, and thought it was not merely a political difference that had occurred, but something more for which they condemned the few distinguished individuals, who, contrary to their wishes, had done so much good for their country, to perpetual extinction. The right hon. Gentleman, therefore, has nothing to boast of on that question. The Whig party has been exclusive, foolishly so, I think, and ruinously to themselves; but they have managed to secure capacity with some show of success in conducting the Government; and possibly, when they are reduced to that sort of extremity which political parties cannot altogether escape, they may ask for that assistance they have not always thought it worth while to have. But, now, I wish in one or two sentences to sum up the reasons for taking the present course. The Government, according to all Parliamentary rules, does not posess the confidence of the House of Commons. I believe if we pursue the present policy of the Administration the neutrality of England cannot be maintained in practice. I believe the Government that has done the utmost damage to the cause of Reform in the past Session will, if it has the opportunity, endeavour to betray it in the Session to come. I think with a new Government a more friendly feeling with France is likely to be preserved. I think also that the new Government will at an early period lay on the table a measure of Reform that will be distinctly and considerably in favour of the House and the people, and which it may become the duty of the House and the people to accept. The right hon. Gentleman was very ingenious on the difficulties he described in regard to what is to be done with the reconciled sections of the Liberal party. For my own part, I have nothing to do with that matter. For sixteen years I have sat in this House, and I can truly say that I have never given a vote for the purpose of displacing a Conservative Government or of embarrassing a Whig Government, but for the purpose of forwarding the principles which you all know that I hold, and the policy which I have always frankly avowed and maintained. I suppose the stoutest ship, and with the strongest tackle, will sometimes find itself where it did not expect to be; but if there be a change of Government I expect to sit opposite, very near the seat of the right hon. Gentleman the Member for the University (Mr. Gladstone), if he does not change his place. I wish to pursue the same course that I have pursued in time past—a course of vigilance with regard to the Government. I never quarrelled with Governments which pretended to be Liberal because they did not do all I wanted, or go so far as I wanted. I have never quarrelled with one of them yet, except when it has deserted the principles of its ancient party, and has asked us who sat on the same side of the House to support that which we knew it would be impossible for us with any show of consistency to support. Well, if there comes a new Government in, and my seat be there, I shall watch it with the vigilance that I have exercised in time past, and, I admit, with as much forbearance as I can show consistently with what I believe to be my duty to those great political objects to which my life has been devoted. If they pursue an honest and straightforward, though I will admit a moderate course, I shall bear in mind the difficulties by which they are surrounded, and I shall be anxious to continue them in office as long as I find them disposed to move on fairly and reasonably in that direction which may be said to be indicated by the average opinions of those who sit on the same side of the House. If, unfortunately, they should do some of those things which they have done in times past, my sorrow will be great, my opposition, if I am here, will be inevitable, and I am afraid some night or other I shall find them, as before, handed over to the Philistines who will sit opposite to them. I hope, whoever may form this Government, whoever may be the members of the Cabinet, that they may look to the past, and see how they have failed so much. Since the fall of the Government of Sir Robert Peel there has been no good handling of the Liberal party in this House. The Cabinet has been exclusive, the policy has been sometimes wholly wrong, and generally feeble and paltering. If in the new Government it shall be found that there are men adequately representing these reconciled sections, acting with some measure of boldness and power, grappling with the abuses which are admitted to exist, and relying upon the moral sense and honest feeling of the House, and the general sympathy of the people of England for improvement in our legislation, I am bold to hope that the new Government will have that which Her Majesty evidently wishes—a longer tenure of office than any Government that has existed for many years past.

LORD ASHLEY said, that although he would frankly admit that the Amendment was a party move, so far as concerned one of its objects,—namely, the turning out the Government, he must at the same time deny that those who occupied those (the Opposition) benches were actuated by any motives of personal or political aggrandizement. Their sole object was to obtain a good Government for the people of this country, and to promote the country's welfare. He admitted that in many instances the conduct of the present Government merited the approval of the House, but he contended that generally speaking they had proved their incapacity. He would cordially support the Amendment with the view of replacing the present Government by a strong and sagacious Administration that would carry weight in the councils of Europe, command the respect of the people in England, and have the wisdom to originate good and sound measures of social development and practical Reform.

MR PALK said, that he should have contented himself with giving a silent vote against the Amendment but for the importance of the question at issue. The whole debate, in his opinion, had been nothing but a struggle between rival statesmen on the opposite sides of the House for place and power, and the only question of importance—namely, the real interests of the nation at large—had been completely forgotten. Hon. Gentlemen at the opposite side of the House boasted of their numerical majority, and that the differences formerly existing between them, which had prevented them from carrying those measures which they believed to be right and just, were now no longer in existence. In a tirade of vague pomposities the House has heard a great deal about the evils that should be remedied, the sacrifices that should be made, and the Government that ought to displace that at present in office; but they had not heard a word of definition with respect either to what the evils were, what the sacrifices required were, or what combination of statesmen were to carry the country through the perils now surrounding it. The struggle for power had existed for years past; and it had become year by year more intense, and in the same ratio that its intensity increased were the interests of the nation forgotten by both the contending parties. What had been the result of the dissolution—a step rendered compulsory by those unseemly disputes? It was admitted on all hands that if it had not strengthened materially the Conservative, it had weakened the Liberal party; it had weakened the hands of Government in its negotiations with continental disputants, and had prevented that which might otherwise have been consummated — an amicable settlement of those unhappy differences. Professional politicians viewed what was going on out of doors with the same eyes that they regarded what took place in that House; but he could tell them that the country was getting sick and tired of this continual struggle for place. These repeated dissolutions would not much longer be endured, for it was felt that the interests of a nation could in no way be furthered by having great measures of legislation postponed until the time arrived when rival politicians were able to make up the differences which separated them. Hon. Gentlemen opposite called themselves Reformers, and yet they had been offered by a Conservative Government a better Reform Bill than they were ever able to obtain from their own party. They were told that they would have liberty to amend, to alter, and to enlarge that measure; but rather than aid in the patriotic object of making that measure such as the country desired, they had combined — singularly enough, for the purpose of opposing that which would be productive of benefit to the nation. Again with reference to the vote of censure now under discussion he regretted to hear the reasons that had been assigned for it. During the elections they had been astonished by a statement in the journal which was supposed to lead public feeling in England, and to possess means of information greater than those enjoyed by any other journal, to the effect that a secret treaty had been concluded between France and Russia; and that statement, though denied, was again and again persisted in. What the result of such an alliance would have been to this country was shown by the universal feeling which it created as to the necessity of a general armament. And it was in deference to that feeling that the Government had seen fit to increase the naval establishment, which through the mismanagement of former Administrations was suffered to become inadequate for the requirements of the country even in time of peace. Now however that England was safe from attack, and in a position to give weight to those representations, which hereafter might be of great value in restoring peace and in stopping the effusion of blood, they were told by the hon. Member for Birmingham (Mr. Bright), that the Government was unworthy his confidence, because he could only see in those measures of protection a covert intention of joining Austria against France! Was the fate of a Government to be decided by such special pleading as this? Would not a little honesty be a better policy? The Liberal party might fairly say, "We have got the majority, we envy you your position and your places, and therefore we will vote you out of them;" but to found a vote of censure on the flimsy pretence that the Government had erred in providing for the defence of the country was both dishonest and disingenuous. What would have been the course adopted in that House if the Ministers had not added to the strength of the navy, but had left it in the state in which they found it—one of admitted inferiority to France? Why, in that event he felt confident they would equally have found some right hon. Gentleman or noble Lord—it was the fashion to put noble Lords forward on such occasions now—rising in his place to impeach the conduct of the Government. They were told that this manœuvre was to be successful, and that the Treasury benches were to welcome new occupants. He wished to know whether with new men they were also to have new measures on those subjects which the leaders of the Liberal party had kept dangling before the eyes of their supporters year after year? Why was the House to submit itself to the leadership of Liberal statesmen when they confessed themselves to be weaker than when in consequence of internal discussions they had been obliged to quit office and power? He had no desire for place, and it mattered little to him who sat on the Ministerial benches; but there were certain objects which, in common with the people of England, he held dear and wished to preserve, and he believed that these—the working of our free institutions and the well-being of the country itself — were perilled by the rivalry of noble Lords who were willing to sacrifice everything to their desire for power. Unless the House of Commons stepped forward and vindicated its own dignity and character, they must not be surprised if the country with one voice demanded a Reform Bill which would sweep the aristocracy and the "educated orders" from power, and place it in the hands of men who would probably have no great veneration for ancient institutions, but who would at all events be determined to maintain and carry on the Government of this country with a regard to their own interests and the right use of power.

MR. BAXTER said, that as one of the Members who had joined in the vote on the Conspiracy Bill, which turned out the late Government, he should be the last man who would consent to a vote of want of confidence in the present ministry on light grounds, and, therefore, he was anxious to state his reasons for the vote he was about to give on the question now before the House. That question was, whether the domestic or foreign policy of the country had been such as to command the respect of the nation and justify the confidence of the House of Commons, and were the interests of the people safe in the keeping of the Ministry? Much as he admired the ability and tact of the Chancellor of the Exchequer and the exertions of the First Lord of the Admiralty and the Secretary for War, he could not bring his mind conscientiously to answer the question in the affirmative, and felt himself bound to support the Amendment. There were many reasons to justify him in coming to that decision. One was the legislative failures of the Government. Seldom had it fallen to the lot of any Government to mismanage and blunder to such an extent as the present Government had done during the last two Sessions. He considered that the Reform Bill of the Government would have been a reversal of the policy inaugurated in 1832, and that it was founded not on progressive, but rather on retrogressive principles, and so far from giving more power to the unrepresented classes, it would have simply and solely added to the influence of the territorial aristocracy. He so far agreed with the hon. Member for Birmingham that he could not expect any good measure of Reform from a Government which had offered such a proposition for the acceptance of the House of Commons. The second charge which he brought against them was that, not having been wise enough themselves to introduce a satisfactory Reform Bill, they neither took the course recommended by two of their own colleagues, nor adopted the advice of the House of Commons, but at a moment when Europe was on the point of being plunged into war, advised the Queen to dissolve Parliament. They did so because they trusted by certain influences to increase the number of their supporters. He conceived that in so doing they took a most unpatriotic course, which deserved the unqualified disapprobation of the House. Was it constitutional, or rather was it desirable, whenever the Minister of the day happened to differ from the House of Commons on an important measure, that they should straightway advise Her Majesty to dissolve Parliament? He believed that this was a most dangerous practice, which was increasing, and of which he was glad to find the people were beginning to complain. But was there no remedy for it? There was a remedy patent enough, to disfranchise those boroughs which could so easily be influenced, and give the seats to large manufacturing towns. Then as to their administration of foreign affairs. So far from being able to admire the foreign policy of the Government he looked upon it with some degree of dread. Though the members of the Government had been careful to conceal their sympathies from the House, the mover of the Address said he had a strong respect for Austria. Now, it was because he (Mr. Baxter) had no respect for Austria that he had no confidence in Her Majesty's Government. He believed that it was to the tyranny and oppression of Austria that the war in Italy was to be attributed, and that, as was said by the noble Lord (Viscount Palmerston), they would never have peace in Italy so long as Austria had a soldier there, and he trusted that this war would not end until every German soldier had been driven across the Alps. He was glad to hear what was said by the hon. Member for Birmingham of the Emperor of the French. However little they might admire the internal administration of Louis Napoleon, they had no reason to be dissatisfied with his conduct towards this country. He would go further, and say he doubted whether this was a proper time for making alarming speeches and forming rifle corps. He wished not to be misunderstood. Let them be prepared to defend the honour of the country, but he objected to their taking measures against a contingency he believed they had no reason to expect. He had expected to hear a speech from the hon. Member for North Warwickshire, who, in his opinion, would have got up in his place and asked for an explanation of the extraordinary things they had seen in Ireland, when Roman Catholic priests supported the Members of the Government. He wanted some explanation about Cardinal Wiseman's letter, and why Irish constituencies should receive Conservative candidates with open arms? The Chancellor of the Exchequer had told them that if they passed this Amendment they would bring back to office members of those great families whose exclusiveness had done so much to dissatisfy the Liberal party. There were those who thought that the adversity of the Whigs ought to have lasted a little longer, but he was disposed to think with the noble Lord (the Marquess of Hartington) that adversity had taught them wisdom. If not, the independent Liberals must repeat the process, and as they did in 1858—turn them out. Looking, however, at the question fairly and candidly, he could see no reason why at this moment there should not be a Liberal Administration, not composed of men belonging to the old Whig families, but an Administration fairly representing all parties, and who would bring forward measures of real and substantial progress.

Mr. LIDDELL said, he would not have addressed the House had he not detected in the speech of the hon. Member for Birmingham (Mr. Bright) some things which as an Englishman he was unwilling should pass without observation. If he understood rightly, the hon. Member rested the support which he gave to the vote of want of confidence on three material grounds, and the most important complaint against them was founded upon their foreign policy. In the succint and able summary of his opinions which the hon. Member for Birmingham gave at the conclusion of his speech, he said he hoped to see upon a change of Government something more of sympathy with France. He had a right to ask what the meaning of that was? He had a right to ask whether the hon. Member, whether as a man of peace, he meant that we should sympathise with a nation that had broken the peace of Europe in a most deliberate and reckless manner? He (Mr. Liddell) was as alive as anybody could be to the importance of the French alliance; and he believed that the moral influence of France and England, combined for good purposes, might rule the world; but, if the policy of the future Government were foreshadowed in the remarks they had heard to-night, they had a right to know in which policy of France, peace or war, they were to sympathise. They heard much of Italian freedom as the object of this war, but he augured little good to Italy when he found her supported in arms by one and counselled by another despotic Power. The next great charge made by the hon. Member for Birmingham against the Government was that he suspected that its professions of neutrality were insincere, and he rested that charge upon the fact that England had been increasing her armaments. He (Mr. Liddell) however, believed that if there was one act of the present Government which had received the unanimous approval of the House, and endeared them to the people of England, it was the efforts they had made to maintain our naval supremacy. The hon. Member scoffed at the militia and yeomanry, as he had often done before, but such remarks would be again treated with the silence which they deserved. When, however, the hon. Member, who professed to be a sincere and honourable exponent of popular views, took upon himself to say that neutrality was endangered by the establishment of volunteer rifle corps, he replied that the people and not the Government had demanded them from a feeling of insecurity, and that no Government, however strong, could successfully oppose that national feeling. There was one other point which the hon. Member for Birmingham adverted to—his own peculiar hobby,—Reform. He could not help noticing and congratulating the hon. Member upon the remarkable change in his opinions since last year; the hon. Member paraded during the whole of the autumn from hustings to hustings and from county town to county town, and the effect of his speeches was only to alarm the people by the extravagance of his views. In his speech that night he had foreshadowed what the policy of a Liberal Government should be, in his opinion, upon the question of Reform, and it needed no prophet to predict that the hon. Member would form one of any Government formed by those who sat on his side of the House. The Bill he now shadowed forth, however, was not the one he had previously produced, but a moderate Reform Bill similar to that which had been advocated by the two right hon. Gentlemen who were supposed to represent the Tory element in the Cabinet, and who had left the ministry a short time ago because their views were not adopted. He congratulated the hon. Member on his present moderation. As to the want of confidence vote, if he could look at the matter simply as a social question, he should regard with indifference any change of Government that might take place; for this simple reason, that at the present day the House and the country were so divided into minute sections, and so nearly allied in opinion upon most subjects that all Governments must necessarily bring forth pretty much the same measures. He believed that a Reform Bill, from whichever party it came, would, when it left the Committee, be much the same both in principle and detail. It was on considering the foreign aspect of the matter that he could not make up his mind to vote for a new Government. There was great *prestige* attaching to certain great names, such as Napoleon, Nicholas, Metternich, each and all of them had excited sometimes admiration, oftener alarm; but if there was one name in modern history more unpopular in Europe than another, it was that of the noble Lord opposite (Viscount Palmerston). He admired the character of the noble Lord; and if we were to have a change of Government, would prefer to see him at the head of it, for he believed his measures would be always tinged with principles which influenced hon. Members on the Conservative side of the House; but his foreign policy was always alarming and often intrusive. If he were in the Government it was to be feared that his name would carry influence destructive of the peace of Europe. This opinion was entertained not only by Conservatives, but by Whigs. And a similar feeling influenced many Roman Catholics, which might account for the support which the present Government had received from that body. He did not think that the present Government had always done right, he had often found fault with their measures, but he should cordially support them because they had fulfilled their pledges, and he believed were sincere in their determination to maintain a strict neutrality.

Mr. J. H. GURNEY said, that reference had been made in the course of the debate to the conspiracy Bill of last year—he had voted in favour of the first reading of that Bill, and being absent on the occasion of the subsequent division had authorized a right hon. Friend of his to enter his name as pairing in favour of the second reading. He had supported that Bill because he thought that the claim made on the Government of this country by the French Government was a good and righteous one, and one which the Government was fully justified in yielding to, and when the Bill was defeated and the Government thrown out he considered it a great evil, not merely on account of the Bill being lost, but on account of the Government being changed. Frequent changes of Government must be attended with inconvenience, and therefore he did not approve of change for the mere sake of change. The very fact of the loss of office by the late Government would make him pause before he contributed to another change by seeking to eject their successors from office. If a case were made out against the present Government that compelled him to vote for a change he should be prepared to meet the inconvenience of that change, but he frankly confessed he did not feel that any such case had been established. He was one of those who voted in favour of the Government Reform Bill, believing that, although it was not a perfect measure, it furnished an adequate basis for legislation, and that if it had been allowed to go into Committee it might have become a measure acceptable to the nation, and so passed into a law that would have satisfactorily settled the question. Having given that vote he could not object to give credit to the present Government for their sincere desire to produce, in the next Session of Parliament, a Bill that might meet the views and desires of the country, and he saw no reason why, profiting by the experience they had had that Session, they should not in the next be able to lay such a Bill before the House as to meet with general acceptance, and one which would be the more likely to pass, because the present Government had influence with the Conservative side of both Houses of Parliament that no other Government had, and it was not to be supposed that any Reform Bill could be passed without a certain measure of co-operation on the part of both sides of the House. With reference to foreign affairs, it appeared to him that the present Government had studiously and honestly endeavoured to carry out the national wish maintaining perfect neutrality between the belligerents now engaged in warfare. For one thing, particularly, the present Government did deserve the confidence of the House and of the country—he alluded to the efforts they had made to put the country in a state of defence. He did not conceive that those efforts at all implied the existence of any hostile feeling to our French allies. They had no right to think or to speak otherwise of the present ruler of France than as the faithful ally of this country; but it was also right to recollect that the most despotic rulers were not always their own masters, and that observation applied most emphatically to a ruler who, like the present Emperor of the French, had a throne based on the popular will, and not rooted in the antiquity of hereditary legitimacy. And when we knew that there was a large proportion of the French people, and a still larger proportion of the French army, to whom a war with this country, should it unfortunately break out, would not be unacceptable, but the reverse, it would in his opinion be inexcusable folly not to provide ourselves with those defences which were a necessary insurance for the safety of this country. And although this necessary defence might involve great expense, yet that expense would be the cheapest insurance possible for the security of its prosperity and wealth. It was to be recollected that there was nothing in the preparations that had been made, and which he trusted were continuing to be made, which were in any degree of an aggressive nature. They were wholly defensive in their nature, and afforded no just ground for offence to any foreign power whatever. Looking at the reduced state of the navy when the present Government came into office, he had not implicit confidence that these defences would be adequately kept up in case another change of Government should take place. Therefore, although it was exceedingly disagreeable to him to give a vote adverse to those among whom he had sat since he had the honour to be in that House, yet, in pursuance of what he believed to be a public duty, he intended on the present occasion to vote against the Amendment that had been proposed.

Mr. F. CROSSLEY said, that like the hon. Member who had just sat down, he had always been against unnecessary changes of the Government, and therefore when the present Government came into office, and an appeal was made to the independent Members of the House for support, they required to know what the Government were about to do with regard to the great question of Reform. The reply was that if they had the recess to consider the matter, they would bring forward a Bill which would give satisfaction to the country. On that ground he gave them an independent support, but when the Bill was introduced, and he saw what kind of a measure it was, and that no change whatever was made in the borough franchise, he advised the Chancellor of the Exchequer on the night that he introduced it to withdraw it, and reconsider the question, as he was sure the Bill would not give satisfaction, especially to the working classes. The right hon. Gentleman the other night seemed to wish that their Reform Bill should not be remembered, and told them that he would bring in a Bill some nine months hence, and the hon. and learned Member for Nottingham said he asked them to take a Bill at nine months date. But it was not even so much as that. It was only a promise to give them a Bill nine months hence. There was no statement of what the amount would be. The late Reform Bill was rejected by a majority of thirty-nine, and the Government sent them to their constituents. Hon. Members could only speak for themselves—his own constituency was so satisfied with the part he had taken that he should have been returned without a contest, but he was induced to offer himself for the West Riding of Yorkshire; and that constituency, which was the largest in the kingdom, consisting largely of agricultural as well as of commercial interests, returned him and his colleague against a supporter of the Government and of the Bill. His constituents repudiated the Government Bill, and he thought it was perfectly useless for the House to wait nine months longer on such a promise as that which was given to them the other night. He certainly should not continue to give them the independent support he had given them in the last Session unless he received a satisfactory assurance that they entirely repudiated the Reform Bill which they brought forward in the last Parliament. The speech of the right hon. Gentleman the Chancellor of the Exchequer contained no such assurance, but rather a defence of that Bill, and he was therefore convinced that a substantial measure of Reform was not to be expected from those who had all their lives opposed it, and who during the late election had done their utmost to prevent the return to that House of earnest and sincere Reformers. As regarded the question of peace or war, neutrality was the word adopted not only by both sides of the House, but by all parties in the country; yet he had read speeches that had been delivered by gentlemen holding office in the Government, and by their supporters, in favour of an armed neutrality. The state of neutrality which the Government professed was a state of armament which they intimated would enable us to step in when we could do so with effect. He thought, however, that they should only interfere when England and the interests of England were meddled with, but not before. We ought in taking up our arrangements to conduct our business in a business-like way, and with all the economy possible. If £22,000,000 a year would not defend this country from a foreign invasion £40,000,000 would not. He believed that money was ample; it only required better management; and he believed that if, as in mercantile affairs, they only inquired rigidly into the question of value received before they gave the money, the administration of the taxation of this country would be far more judicious and economical. With regard to the composition of another Government, he was glad to find, and he thought it was perfectly right, that there ought to be a combination of all shades of Liberal opinions in the new Ministry. They had had to fight a good deal against an outcry about combination in the West Riding of York, and they had there charged them with an unholy coalition; but he was satisfied that if a Government were formed, as it ought to be, by men of talent, holding various shades of political opinion, that they would have a strong Liberal Government, that would not drift the country into war, but would settle the great question of Reform in a manner satisfactory to the people.

MR. SPOONER said, he merely rose to answer the appeal made to him by the hon. Member for Montrose (Mr. Baxter). He was asked why he had not required an explanation of some supposed communications between Dr. Wiseman and the Earl of Derby. It was not for him to ask for explanations relative to a correspondence till he had ascertained the fact that such a correspondence existed. Had he seen ground for believing that such a communication had passed, then, doubtless, his Protestsnt feelings would have been aroused, and the explanation alluded to would have been demanded. But after the declaration made by his right hon. Friend the Chancellor of the Exchequer, he wondered that any Member of the House could venture the remark. The Chancellor of the Exchequer distinctly stated that it was all an electioneering report, and that there was no ground whatever for it. He had also been asked whether he and his colleague did not differ from the Government on the question of Maynooth. To this he replied, that they differed from the present Government on many points, and he had often expressed that difference, and probably should do so again. But then he did not less differ from the party opposite. In fact, he differed from them more than from his right hon. Friend below him (the Chancellor of the Exchequer). He thought both essentially wrong in some points, and he believed that neither party would ever have the entire confidence of the country as a Government till they had retraced their steps. As to the defensive preparations spoken of, it was idle to imagine that, because these had been made, the Government was therefore disposed to go to war. The fact was, that the late Ministry had left our armaments in a most incomplete state, and the country had been frightened by the false economy which they had displayed. In the present state of Europe it was necessary to keep up our army and navy on an efficient footing, not with any wish to go to war, but simply, in case of need, to protect our own shores.

MR. HORSMAN said, he would confine the few observations he wished to offer to the House to an explanation of the vote he was about to give, rather than enter upon the question of the general policy of the Government, as to which he agreed with the Chancellor of the Exchequer that the issue had been so narrowed as to leave little room for argument. The appeal made to the country by Lord Derby was so simple and intelligible—namely, whether he and his colleagues possessed the confidence of Parliament and ought to have its continued support—that they did not complain, and no one could be surprised, to find a very early opportunity taken for testing the result of that appeal. Ministers, it was believed, were now in a minority in their own Parliament; and if this were true it was a condition of things which was anomalous, unconstitutional, and for many reasons too dangerous to be allowed to continue. The party possessing a majority in the House of Commons must be held to represent the national opinion. This being so, it was responsible for the national policy, and ought manifestly to direct that for which it was responsible. The first duty of the new Parliament, therefore, was plain. Its duty was to devise some means of correcting an anomaly which no one could defend, and to re-establish that first law of Parliamentary government in England—namely, government by a majority. But it was no less the duty of the majority, in effecting a change which must be preceded by a severe party conflict, to choose well the ground on which that conflict should be fought. Every one must feel the gravity of the circumstances under which the Parliament had now assembled. The country was beset with difficulties, and even threatened with dangers, and an Opposition had its corresponding responsibilities. It behoved the House, therefore, to act on some safe public ground, and to take good heed that in displacing the existing Government they should carry public sympathy with them by showing an adequate necessity for the attempt, in some peril to be averted or some advantage to be gained by a change of Administration at such a crisis. Now, it appeared to him that Her Majesty's Speech suggested the one paramount and absorbing question on which that issue could fairly be taken. Her Majesty informed them that in the differences which had arisen between continental Powers which had engaged some of the attention of the House last Session, and would occupy so much more of the attention of the present Parliament, her mediatorial efforts in the interests of peace had entirely failed—that war was now raging in Italy—but that her determination was announced—and in this Her Majesty was loyally supported by all classes of her subjects—that England should remain strictly neutral. But she went on to inform them that she had felt it right in the present state of Europe to make an addition to her naval force, thereby disclosing an apprehension that circumstances beyond her control might unhappily arise to compel reluctant England to become, in spite of her reluctance, a belligerent Power. These facts, indeed, were well known before, but this authoritative announcement of them was perhaps one of the most important which had in our time been made by the Sovereign to the people. We had borne a part in negotiations now concluded, and unless Providence averted the calmity we might be entangled in the war just begun. Her Majesty in making this announcement to Her Parliament had performed her duty, and it was now for Parliament to perform theirs. It had become the duty of Parliament to satisfy itself as to the part which the responsible advisers of the Crown—the representatives of England while Parliament was not sitting or was non-existent—had taken in the negotiations preceding the war. The diplomatic transactions of the last few months must form a most important chapter in modern European history, and England's contribution would to us be the most interesting portion of that chapter. He thought, therefore, it was their first and imperative duty to ascertain whether the Ministry had in these grave complications exhibited the capacity, the energy, the firmness, the foresight, and, above all, the impartiality which was essential to such an exigency. In a speech recently made to his constituents by a distinguished Member of this House, the question was placed on grounds which could not, he thought, be overlooked by Parliament. He stated, speaking in the face of the war-storm now rising, "I make this grave charge against the Government—either they have been themselves grossly deceived, or they have attempted to deceive the country. I place them in that dilemma." But he (Mr. Horsman) felt that unless Parliament pursued their inquiry to some conclusion, it was not only the Government, but the country that was placed in the dilemma. Had the Ministers of England suffered themselves to be deceived by foreign Cabinets, or had they themselves attempted to deceive Parliament? If they had attempted to deceive Parliament we ought to know that, and ought to follow up the knowledge by exacting a severer penalty than the loss of office. If, on the other hand, they had themselves been deceived; if they had been the victims of a duplicity by which the other Cabinets of Europe had been deceived; if the Government, by their own weakness, and credulity, and incapacity, had been to blame, then their fate as a Government was sealed. But if it proved true, as had been publicly stated, that a secret combination had been formed between two of the most powerful and agressive despotisms in the world, in furtherance of a policy not yet developed; if a deep plot had been laid for deceiving the Governments of Europe, and the Cabinet of England had been deceived, then a new danger to England had been brought to light, and he must be a bold man who would underrate it. These were considerations that appeared to him to be very grave and demanding very urgent investigations. It also seemed to him that that investigation could not be too calm, too rigid, or too soon. He thought they ought to try the Government on that ground, and that by the result of the trial they had, if they claimed it, a right to stand or fall. In this great national exigency, there was one leading requisite, one test of fitness, that transcended all others in reference to the Government of this country. It was essential that that Ministry should be in power that was most competent to the direction of international affairs. That was the subject which more than any other would, for some time to come, occupy any Cabinet. External dangers of the most formidable character now threatened us. By statesmanship, by capacity, by judgment, those dangers might be averted at a distance. By blindness, by incapacity, by ignorance, they might be brought so near us that we might have to confront them in the Channel, or even on our own shores. Now, he felt that he durst not deal rashly or presumptuously with these questions, and that, for the satisfaction of the country, for the guidance of Parliament, and for the instruction of any future Minister, it was absolutely essential that they should have full and complete information as to the past, as the best guide and security for the future. As the papers relating to the recent negotiations had been promised by the Government, it appeared to him a matter insignificant whether the discussion on those papers, resulting in the condemnation or acquittal of the Ministry, took place a fortnight earlier or later, compared with satisfying the country, that they had postponed their judgment of the Ministry till the materials were in their hands for pronouncing a right and safe one, and had thus been faithful to the nation in what he believed to be one of the most perilous passages in its history. That was the opinion he entertained and on which he had been prepared to act; and it was for that reason he regretted that an Amendment was to be moved to the Address, and the issue raised between the Ministry and the Opposition, which he should have preferred to see raised on the question of foreign policy. He felt that he stood in a totally different position on this question from the noble Marquess who moved the Amendment. The noble Marquess had nothing to do with placing the Government in power. He was satisfied with the preceding Government, and did all he could to keep the present Ministry out of office. Therefore, in moving the Amendment his conduct was in perfect keeping with his Parliamentary antecedents. But he (Mr. Horsman), on the other hand, had deliberately and advisedly given a vote that led to the displacement of the preceding Government and the accession of the present one. In doing so he knew the responsibility which he incurred, and the obligation which lay on him not to lend himself to any effort to displace them that took the form of a personal or party movement. He had made no secret of his regret that the Amendment had been moved, and he had stated the grounds on which he should have preferred to take the trial of strength between the Ministry and the Opposition. If the Government had themselves taken that ground; if they had opposed the Amendment on that ground; if they had raised a protest against a vote being taken before Parliament, had the papers in their hands, and were able to form a judgment; if they had appealed to the justice of the House to protect them against a judgment so premature, he confessed that he for one would not only have found it very difficult to resist that appeal, but that he came down to the House on Tuesday expecting that it would be made and prepared to express his sentiments in its favour. But both in that and the other House of Parliament the leaders of the Government accepted the course taken by the noble Marquess. In moving his Amendment the noble Marquess stated that he did so in reply to the appeal which Lord Derby had made to the country, and he announced, as speaking for his party, and by the authority of its chiefs, that if the result of the division should be favourable to the Government it would be considered as a settlement of the question of the continuance of the Government on the part of himself and his friends, and in that settlement he promised acquiescence. Nothing could be more manly than the tone in which the challenge was given, nothing more generous than the spirit in which acquiescence in defeat was promised. He had listened with great interest to the reply of the Chancellor of the Exchequer, and, certainly, if the challenge was frank and manly, nothing could be more frank and fearless than the acceptance of the challenge. So far from making any complaint of the course taken by the noble

Marquess, the right hon. Gentleman admitted that it was a proceeding which the Government had anticipated, and which they had invited and expected when they dissolved Parliament, and he entreated the House to lose no time in coming to a decision on the question. By common agreement, then, the vote on this Amendment was to be taken as a settlement of the question whether or not the constituencies had returned a majority to that House in favour of the present Ministry, or whether the majority was adverse to their continuance in power. Every individual Member, therefore, would be called on in the division that was to take place to give an answer to the appeal of Lord Derby. Those who had been returned on the ground of having confidence in the Government would of course vote with the Government, and others who had been returned to say the contrary would vote for the Amendment of the noble Marquess. On an issue so limited and so simple it was impossible for him to hesitate as to the vote he should give. He had been no party to raising that issue, and would have supported the Government if they had protested against it; but it was impossible to maintain for them a point which they had themselves abandoned. He was therefore compelled to say that the answer he had been commissioned to give to Lord Derby's appeal was not favourable to his continuance in power.

Mr. H. KER SEYMER said, that while he intended to vote against the Amendment, he felt constrained to repeat, what had been already admitted, that there could be no ground of complaint against the noble Marquess for moving it. The Government had appealed to the country; and by the result of that appeal they were determined to abide. He did not, in fact, see how they could possibly have taken the course suggested by the right hon. Gentleman who had last spoken. On a general question of confidence, or want of confidence, how could the Government select one special point—as for instance, their foreign policy—and claim delay on account of the absence of the papers relating to it? With due deference to the right hon. Gentleman who seemed to have been looking out for an opportunity of supporting Her Majesty's Government, without being able to find it, he said that such would not be an honourable course. The question of confidence or no confidence was not abstract but practical; and he could well conceive that some hon. Gentlemen opposite would pause before withdrawing their confidence, unless they could see their way to the formation of a strong Liberal Government. As the country must have a Government, he thought that many Members of the House might follow the course suggested by the hon. Member for King's Lynn (Mr. Gurney). Before going into the question of the difficulties that stood in the way of forming a strong Liberal Government, he would notice some observations of the noble Lord the Member for Tiverton. He thought those observations were not quite fair. The noble Lord spoke as if the Conservative party had supported the Conspiracy Bill, and had then gone in the teeth of their former votes, and opposed it. What were the circumstances? He recollected the present Chancellor of the Exchequer, not liking to take the unusual course of opposing the introduction of a Bill brought in by the Government upon their responsibility, saying that he would vote for its introduction, but he expressly guarded himself against being understood by that act to promise the measure his support in the future stages. On the contrary, he expressed disapproval of the Bill, and said it was an inadequate measure; that Count Walewski's despatch ought to have been answered, and that the noble Lord at the head of the Government should have written a spirited reply, such as Mr. Canning would have written, in answer to it. Well, the right hon. Member for Ashton (Mr. Milner Gibson), being at that time a Member of the independent Liberal party, and anxious, as the independent Liberal party always were, to upset Governments, took advantage of that speech of the right hon. Gentleman—saw what the opinion on the Conservative benches was, and framed such a Motion as the Conservatives, with the opinions they entertained on the subject, had no alternative but to support. That, then, was the true history of the transaction; and it had not been fairly represented by the noble Lord the Member for Tiverton. They all knew the result of that Motion. A Government was formed by Lord Derby; and its first act was to establish friendly relations with our most powerful ally, and nearest neighbour, the Emperor of the French. The next thing they did was to procure the release from prison of the two English subjects who were so cruelly treated by the Neapolitan Government, and whose case had been rather prejudiced than aided by the preceding Government. They then proceeded to bring forward their India Bill, which he admitted was not very favourably received by the House and the country. But it was not for Gentlemen opposite to say much about India. He did not think that the country or this House would easily forget that grand assault upon the Government which was commonly called the "Cardwell Resolution." Of all attacks upon a Government that he could recollect he never knew one which ended in so ignominious a failure. And when the noble Member for Tiverton said that the Government ought to be grateful for the forbearance with which they had been treated, he (Mr. K. Seymer) entirely denied that any such forbearance had been exhibited towards the Government. On the contrary, almost as soon as they were in office an attempt was made, which failed, to eject them, which, however, so completely miscarried that it could not be repeated in the same Session. If that was the sort of forbearance for which they were bound to be grateful, he begged to differ from the noble Lord. The Government then sought to settle the question of church rates, which their predecessors had failed to deal with successfully. The Bill of his right hon. Friend the Member for the University of Cambridge received the general support of Members on the Ministerial side of the House. He (Mr. K. Seymer) thought that it was framed upon a just principle, and that although there might have been faults of detail in it, if it had passed the second reading, it might eventually have ended in a fair settlement of the question. It was opposed, however, by Gentlemen opposite entertaining the most various opinions upon the subject of church rates. It was opposed by a right hon. Gentleman who ought to have supported it, seeing that he held nearly the same opinions as his right hon. Friend; it was opposed by those who, willing to relieve Dissenters from the rates, were nevertheless unwilling to abolish them in those places where they were paid without difficulty, and were not a practical grievance. No doubt a Government in a minority were always liable to have their measure rejected in the same way; but he did not think that the failure of that Bill could be attributed to the faults in the measure itself; so far from that, it lay rather with Gentlemen opposite, who might have settled the matter long ago, and who, not having settled it when they might, ought to have come forward and given their assistance to the Government in the endeavour to arrive at a solution of the question. With regard to the Reform Bill, too, the same course was adopted. The Government not being in a majority, they were met in an unusual way by the noble Lord the Member for London selecting one or two provisions which were unpopular, and establishing the bad precedent of taking the sense of the House upon them, instead of upon the second reading of the Bill. The noble Lord the Member for Tiverton, he believed, was inclined to support that Bill, or, at all events, to allow it to be read a second time. Indeed he said as much—and no doubt many hon. Members opposite would have voted with him. Therefore the noble Lord the Member for London, not caring to oppose the Bill on the second reading, by an ingenious device defeated the Government. The recent history of the Liberal party in this House was exceedingly instructive. It was a singular fact, but it was notorious to all the world, that all the upsets of Liberal Governments had of late years proceeded from the Liberal side of the House. The question which upset the Government of the noble Lord the Member for London on the Militia Bill in 1852, was an Amendment to leave out the word "local," proposed by the noble Lord the Member for Tiverton, carried in not a full House, and which was so much resented by the noble Lord the Member for London, that he immediately gave up the charge of the Bill on the spot, and actually moved that the Bill should be brought in by Lord Palmerston and Mr. Bernal. He did not suppose the noble Lord the Member for Tiverton cared much about the word "local," but it answered his purpose of causing a break-up of the Ministry nevertheless. And here he would quote some observations which were made by the right hon. Member for Morpeth (Sir George Grey) with regard to the course of proceeding then adopted by the noble Lord the Member for Tiverton, for they bore much upon what took place in the last Session of Parliament. The right hon. Gentleman said,

> "The noble Lord adopted the unusual course, not of meeting the proposal of the Government with a direct negative, but of attempting to impose upon the Government the obligation of bringing in a Bill which was different from that which they had prepared."—[3 *Hansard*, cxix. 863.]

Now, *mutatis mutandis*, that was precisely what took place with the sanction of both noble Lords in the last Session of Parliament. Well, the noble Lord the Member for Tiverton, being at the time a species of guerilla leader, or a Garibaldi below the gangway—was not sent for by Her Majesty, and Lord Derby formed a Government. They all knew what was the fate of that Government. Having brought forward a proposal with reference to the House-tax, which was very just though not popular, the Government were defeated, and certain right hon. Gentlemen, of various shades of opinion, finding themselves voting together in the same lobby, thought the time had come when a strong Coalition Government might be formed. He recollected his right hon. Friend the Chancellor of the Exchequer saying at the time that the country did not favour coalitions, and he was right. The attempt proved to be unsuccessful. The break-up of the Liberal Government which succeeded was likewise the act of the Liberal party. The hon. and learned Member for Sheffield brought forward a Motion for the appointment of a Select Committee to inquire into the calamities and sufferings of the army in the Crimea, and in its turn the Government of Lord Aberdeen was dissolved. The Government of Lord Palmerston was then formed; and again there was a disruption, three of the noble Lord's ablest colleagues quitting him in consequence of a misunderstanding relative to that Committee. The next attack on a Liberal Government was made by means of a "Round Robin" of hon. Gentlemen opposite, colleagues of the noble Lord the Member for London, requesting him to resign his office as Colonial Secretary in Lord Palmerston's Government, and resign it he did—a striking instance of the union which existed among the Liberal party. The next attack was directed against the Government of the day upon the China war. He (Mr. Ker Seymer) certainly voted with the majority on that occasion, and he never gave a vote with greater satisfaction in his life. But the decision of the House of Commons was dexterously made use of by the noble Lord the Member for Tiverton as the ground for an appeal to the country, and the noble Lord in his address to his constituents actually took advantage of the atrocities committed by the Chinese to speak of the Conservative party as if they were the abettors of those atrocities, and responsible for their commission—he raised a cry about the outraged honour of the British flag, and he obtained a majority. That majority, however, was not of long duration. Majorities, so formed, could never long be depended upon; and the noble Lord was turned out of office upon his Conspiracy Bill. Well, the Liberal party were now said to be united. He (Mr. Ker Seymer) took leave to doubt it, inasmuch as there were several questions on which the country called for a decision, but with respect to which there were decided differences of opinion. To refer to one or two of them. There was the question of Parliamentary Reform on which they did not at all act or think in common. Then there was the ballot—a vital question—it was not a matter of detail and it was a question which he did not see the possibility of the "united Liberal party" settling satisfactorily. The noble Lord the Member for the City of London might be squeezable on this point. The right hon. Gentleman the Member for Carlisle was, he suspected, half squeezed already. But the noble Lord the Member for Tiverton was stanch. He had made many excellent and manly speeches against the ballot. It would not do to say that the ballot was to be an open question. How could it remain an open question with hon. Gentlemen opposite who maintained that an extension of the franchise without the ballot would be worse than nothing, and only place the unfortunate labourer in a more dependent position than the present constituency? The speech of the noble Lord on the hustings at Tiverton must be unsatisfactory to the advanced Liberals on the question of reform, as they must have expected a good reform programme from the noble Lord. He now held in his hand a "revised report" of the noble Lord's address to his constituents at the late election, "price 4*d.*"; and he must say that he thought it rather dear, for he had never read a more meagre performance than his great programme of the noble Lord, "price 4*d.*" He observed that noble Lord said this:

> "I would say now what I said in the House of Commons, that I think there ought to be a lowering of the county franchise; that there ought to be also a lowering of the borough franchise; that there ought to be some transfer of seats from small places to large." [" Hear, hear."]

Well, was there not some transfer in the late Government Bill?

> "This, however," (continued the noble Lord), "I will say, without meaning offence to any man, and I hope that no one will take it in that light, that I would not propose to make the borough franchise so low as to swamp, by numbers of men not possessed of property and intelligence those to whom the franchise is now entrusted, and who in my opinion have exercised it with honour to themselves and advantage to the country."

Why there was nothing here to which hon. Members sitting on his (the Ministerial) side of the House might not subscribe; but there was much that was inconsistent with what had been said by the hon. Member for Birmingham. That hon. Member was not content with reforming the House of Commons; he wanted to go further still, and reform the House of Lords. Here also was a report of that hon. Member's speech, "revised by himself, price one shilling;" and he must say that the pamphlet was much more worth a shilling than the noble Lord's was worth fourpence. At the time that speech was delivered the hon. Member was a leader of the great Reform party, and had prepared a Reform Bill, with a "schedule of disfranchisement and the redistribution of seats." He had now subsided into a member of "the united Liberal party," and he (Mr. Ker Seymer) would like to know what was to become of the "schedule of disfranchisement and the redistribution of seats." He should expect that a very small schedule would be satisfactory to the noble Lord the Member for Tiverton. Indeed, he fancied that the noble Lord would rather have none at all. The hon. Member for Birmingham said, "We know, everybody knows, nobody knows it better than the Peers, that a House of hereditary legislators cannot be a permanent institution in a free country" [Mr. BRIGHT: Read on]; "for we believe that such an institution must, in the course of time, require essential modifications. Last year, or the year before, the Queen herself proposed to nominate persons to a life peerage." But that was a mere legal arrangement intended to increase the number of law Lords in the Upper House, and did not justify the hon. Member in saying that "a House of hereditary legislators cannot be a permanent institution in a free country." Now, this, it might be said, was a mere harmless theory; but the hon. Member was not one who held his opinions as simple theories. He was not a closet politician. He was an active, earnest, sincere politician; and when the hon. Member said that, he had no doubt he thought the House of Lords was incompatible with the freedom of this country, and that, believing and meaning it, he would endeavour at every opportunity that occurred to give effect to his opinions.

MR. BRIGHT: If the hon. Gentleman would look at the speech which he had made at Glasgow he would find that the statement he had just made was entirely incorrect.

MR. KER SEYMER really did not know what the hon. Gentleman had said at Glasgow; all he knew was what the hon. Gentleman said at Manchester. The hon. Gentleman might have qualified his statement at Glasgow, but he had certainly quoted correctly the revised edition of his speech at Manchester, and it was important that the country should know how far Gentlemen who were apparently about to act in concert agreed in the opinions of the hon. Member for Birmingham which he certainly did not intend should lie dormant, but which he certainly would act upon. But whilst the Liberals had these difficulties ahead on the subject of Parliamentary Reform, he did not see clearly how they were to deal with the question of church rates. The noble Lord the Member for London objected to Mr. Walpole's measure upon the ground that it gave up the principle of an Established Church; but the sternest opponents of church rates objected to them on the ground of opposition to an Established Church. The Liberation Society had just held a meeting in London, and they said that they wished to liberate the Church from State control, and that they considered the abolition of church rates as a step in that direction. On what principle, then, did Gentlemen opposite intend to deal with that question? Perhaps the two noble Lords might bring forward a measure such as was hinted at by the right hon. Member for Morpeth (Sir George Grey)—a moderate measure of compromise. If they did, no doubt they would receive support from this side of the House, as they would if they opposed the ballot. But what then became of the great "united Liberal party." Why, it would be the old story over again. These were questions upon which there would be irreconcilable differences, and the noble Lords would have to rely upon the support of the Conservatives against their own allies sitting below the gangway. Another question which would press for solution was the army and defences of the country. The hon. Member for Birmingham said, "Why should you arm;" and had laughed at the militia and the volunteer rifles. He had done so again tonight, and his special charge against the Government was, that they were putting the country under arms. But that was just the very point upon which he (Mr. Ker

Seymer) believed the policy of the Government was most popular. He said this fearlessly—he did not care who were in the Government, but any Government that expected to have the support of the people of England, must go on with the system of maintaining the coast defences, arming the people, and keeping up an efficient navy. That was another point, however, upon which the most irreconcilable differences prevailed on the benches opposite. He wondered if the hon. Member for Northampton (Mr. Gilpin) would still retain the opinions he had expressed some years ago. He (Mr. Ker Seymer) took them at second hand; but that was a description which had been given of them in this House with great success by the noble Lord the Member for Tiverton. The noble Lord said the hon. Gentleman entertained the opinion that if the French invaded this country, we were not to think of opposing them, but should invite them to tea; and, whilst sitting round the urn we should tell them that they had done a very wrong thing, and had better go back again. If that hon. Gentleman entertained the opinions which had thus been attributed to him by the noble Lord, how could he, as one of the "united Liberal party," consistently support the arming and defence of the country?

Mr. GILPIN was sure the hon. Gentleman would not willingly misrepresent him. Perhaps the hon. Gentleman was not aware that after that statement of the noble Lord a letter was published by him (Mr. Gilpin) in the newspapers, declaring that he was not the author of the pamphlet to which the noble Lord had alluded, and that he had nothing more to do with its principles than the noble Lord himself. At the same time, too, the author of the pamphlet published a letter, with his name affixed, acknowledging the authorship, and that gentleman was a merchant in the City of London.

Mr. KER SEYMER said, he did not wish to misrepresent the hon. Gentleman. He was merely quoting from the noble Lord the Member for Tiverton. The hon. Member for Birmingham had called the keeping up of large military and naval forces a system of large out door relief for the aristocracy. Did the hon. Member maintain that opinion still? If so, there was no doubt he would act on the conviction. How, then, could he be one of a "united party" with the noble Lord the Member for Tiverton and the noble Lord the Member for London? He (Mr. Ker Seymer) wished to make a few observations on the speech delivered by the noble Lord the Member for Tiverton on Tuesday evening. That noble Lord was very conversant with foreign affairs, and a great portion of his speech on that occasion had reference to the foreign policy of Her Majesty's Government. The noble Lord said that the Government had been mistaken in respect of the policy of France and Sardinia on the one side, and that of Austria on the other; that they had supposed the aggression likely to proceed from one quarter, when in reality it subsequently proceeded from another; that they thought it would proceed from France and Sardinia, whereas, as subsequent events showed, it proceeded from Austria. The less the noble Lord said about that the better. He (Mr. Ker Seymer) remembered that in 1848 the noble Lord went on censuring Austria for being about to attack Sardinia almost up to the very moment when Sardinia made an attack on Austria. The present Government had not been so mistaken about the present war. No doubt, at last Austria made an aggressive movement; but every traveller—every one who had recently visited the north of Italy—had known that war was meant, and that the determination to have war was openly spoken of in Sardinia. It had been generally understood that it was a mere fencing between parties as to who should appear in the eyes of Europe to be wrong. He did not believe that Her Majesty's Government had been at all deceived. They thought there would be war, though they did everything in their power to avert it. The noble Lord said the Government had been unable to prevent the war, because, not having a majority in Parliament, they did not carry weight with their counsels. Now, was the course which the noble Lord recommended the Government to take one which would have had the effect of conciliating foreign Powers towards England, or increasing the weight which their counsels might have? When the second reading of the Reform Bill was under discussion the noble Lord said to the Government, "Don't resign; take my Reform Bill; remain, even though you be thereby disgracing yourselves in Parliament and degrading yourselves in the eyes of those outside it." When he (Mr. Ker Seymer) supposed the

Government would have been successful in their negotiations was that what was to follow from the advice of the noble Lord? The Government had thought otherwise; they thought it better to improve their Parliamentary position, and they had done so. *Hinc illæ lachrymæ*—hence the complaints of the dissolution. As an independent Member, he (Mr. Ker Seymer) would avow that he had no sympathy with Austria. He had sympathy with the Italians; but he had no sympathy with the Italians and the French fighting against Austria. He had an objection to one despotic power waging war with another despotic power to obtain liberty for the people of a third nation. What had been the first result of such a proceeding in the present case? Why, that constitutional liberty was suspended in Sardinia. The free constitution of that kingdom, including the freedom of its press, had been suspended. We did not know whether that was in compliment to Sardinia's great ally, or because he did not wish to have any discussion of his movements in the press; but this we did know, that the constitution of Sardinia had been suspended, and that its press was not now free. He feared, too, that it would be a long time before Sardinia again enjoyed that liberty of which she had been in possession for some years past. He, for one, could not look forward to any satisfactory result to Italy from the present war whichever side might be the conqueror. He admitted that he did not understand the question of nationalities, though he did understand the question of constitutional liberty. If this question of nationalities were raised he did not know how soon our turn would come. We had a protectorate over the Ionian Islands, but Russia claimed to be the natural protector of Greek nationality, and had more right to interfere with us for the Greeks than France had to interfere for the Italians, so that he did not know whether our turn might not come next if this question of nationalities were raised. He did distrust France as a protector of Italian liberty, who had put down the Roman Republic. Who now kept liberty down in Rome? Was it not France? In saying that he had no sympathy with Austria, he must add that this country had no cause of apprehension from that country. Austria was not an aggressive power to England. We would not add a frigate to our navy or a battalion to our army in consequence of an apprehension of such an aggression from Austria. The instinctive feeling o the country perceived where the difficulty lay. He did not wish to mention names; but every child in England knew why we were arming. Perceiving elsewhere a desire to solve a difficulty by the sword the people of England were determined to be well armed, not for the purpose of aggression, but as a measure of defence. When he spoke of the defence of England he included that of Gibraltar, Malta, our protectorate of the Ionian Islands—in fact, all our possessions. For such a defence we must have a fleet in the Mediterranean. He should not go at any greater length into the question of our foreign policy; but Her Majesty's Government had expressed their determination to maintain a strict neutrality, at the same time that they provided for the defence of the country, and believing as he did, that the Liberal party were not united enough to carry out their own principles, and that the Conservative party was both united, and the strongest one in the country and in Parliament, he felt bound to give his most determined opposition to the Amendment of the noble Lord.

Sir JAMES GRAHAM:—Mr. Speaker, I do not rise to enhance the value of the reported speech of the noble Viscount the Member for Tiverton, much less to depreciate the value of the reported speeches of the hon. Member for Birmingham. I shall not now follow the hon. Gentleman who has just sat down into an historical sketch of the decline and fall, as he thinks, of the great Liberal party; neither shall I speculate upon the prophecies in which he has indulged as to its future policy. I find the question before us to-night to be this—Shall the Government which the hon. Member for Dorset supports continue in the possession of power with the consent of a majority of this House? That is the issue to be decided, and to that issue I will endeavour to address the few observations which I have to offer to the House. Now, Sir, I am placed in a somewhat painful position. I have been driven from the seat which, by the forbearance, or, indeed, grace of hon. Gentlemen opposite I have some time occupied in this House, and having been received upon these benches [*ironical cheers*]—hon. Gentlemen opposite cheer because pain has been inflicted upon an individual, but I do not believe that sound is one of certain triumph, or that it pressages certain victory — well, Sir, having been received upon these benches, I am not permitted to give a silent vote—and I would gladly have given a silent vote—but the Chancellor of the Exchequer, the leader of the party opposite, has thought fit to indulge in observations which render silence on my part impossible. That right hon. Gentleman occupies the proud position of leader of this House, and, being so, is at the head of the largest and most respected body of gentlemen in this country. I may be mistaken, but I have always believed that among gentlemen there was an established rule [*laughter*]. What, Sir! has it come to this? After such an attack has been made upon me by the right hon. Gentleman opposite, am I not to be allowed to offer any explanation to the House? I cannot believe that this is a course which will be sanctioned, even by a new House of Commons. I was saying, Sir, that where an error has been committed, and an explanation has been asked, and when there has been an admission of error, an apology for error, the expression of regret, and when that expression of regret has been allowed to be published, I thought there was an established rule among gentlemen that the subject should not again be revived. But it seems that I was in error, for the leader of the House has thought fit to revive this subject after it has been dealt with in the manner I have described. I should be sorry, indeed, if this debate, upon a question involving the policy and the interest of a great nation, were allowed to grovel on the ground, and to be degraded into a mere question of personality, instead of being elevated to those higher regions where such important subjects ought to be discussed; but, since that topic upon which I gave an explanation in answer to the right hon. Gentleman the Secretary of State for War has been revived, I may be permitted to say that I adhere to the statement which my answer to him contained,—that, although I was decidedly wrong in saying that the alteration in the amount of billet money was made by an act of prerogative, Parliament not sitting, yet I adhere to the statement that it was proclaimed on the eve of a general election, and that the alteration was used for election purposes; and, however painful it may be, since the matter has been forced upon the House by the leader of the House, I will now produce my evidence to that effect. The son of the right hon. the Secretary of State for War was a candidate for Devonport. Naturally proud of the name which he bears, and of his connection with the right hon. Gentleman, he avowed himself, in his first address at Devonport, to be the son of the Secretary of State for War; and almost immediately after his first appearance in Devonport as a candidate there was issued a placard, which I will now read to the House.

> "A Fact for the Licensed Victuallers and Beershop-keepers. The present Government have taken care that, from the 25th April instant, every person upon whom a soldier is liable to be billeted shall be paid four-pence per day, instead of three half-pence. At a moment like the present, when recruiting is going on to a much larger extent than usual, this boon is one of great consequence, and evidences the desire which a good Conservative Government has to remove oppression and wrong wherever it may be discovered. Licensed victuallers and beershop-keepers will appreciate this boon, and understand well the difference between a Conservative four-pence and a Whig three halfpence."

The placard concludes with the motto "Vivat Regina." Well, Sir, the right hon. Gentleman the Chancellor of the Exchequer next referred, I think, to the subject of the reparation and re-occupation of the barracks at Berwick. I understand that an election petition from Berwick has been presented to this House: I have reason, therefore, to believe that that matter will be the subject of judical inquiry, and until the opportunity for such inquiry is given I shall abstain from further reference to it. So also with regard to the packet contracts at Dovor and the Lever contract at Galway. The hon. Member for Falmouth (Mr. T. G. Baring) has to-night moved for returns with respect to the Dovor contracts. The noble Member for Tiverton, in his speech on Tuesday night, expressed the opinion, in which I most decidedly concur, that these questions must be submitted to a severe scrutiny, and the result of that scrutiny I will not anticipate. The next point, I think, to which the Chancellor of the Exchequer referred was the Catholic alliance. Upon that question I may say that throughout my political life I have, to the utmost of my power, defended the claims of my Roman Catholic fellow-subjects to perfect equality of civil and religious rights. I have stood by them in circumstances where many of their former friends failed to support them. I did my utmost to prevent the passing of the Ecclesiastical Titles Bill, and I have uniformly supported every just demand which they could make for the full and free exercise of their religion. I certainly did observe with regret that, during the late general election, ecclesiastical power was used, or was said to have been used, to influence Roman Catholic voters against the Liberal party, and I think that infinitely more has thus been done than could have been done by their opponents to injure their cause. I will press this point no further. I think that Roman Catholics voters, and even the heads of the Roman Catholic Church, have a perfect right to exercise an independent judgment upon these subjects; but I must say that I was astonished when I saw that my hon. and learned Friend the hon. Member for Dundalk (Mr. Bowyer) was reported to have declared upon the hustings that the Roman Catholics had reason to expect that Her Majesty's present advisers would grant a charter of incorporation to a Roman Catholic University in Dublin. Now, Sir, faith will remove mountains; but the credulity that could lead men to suppose that a charter of incorporation, revised by the right hon. Attorney General for Ireland (Mr. Whiteside), the Member for the Protestant University of Dublin, and with the great seal of Ireland appended to it by the hands of Lord Chancellor Napier, would be granted to a Roman Catholic University in Dublin implies a belief in miracles exceeding anything that could be conceived of infantine simplicity. But, Sir, the latest charge of the Chancellor of the Exchequer appears to me the most serious. It refers to a statement I made that it was reported that a large sum of money had been collected for election purposes among the noblemen and gentlemen of the Conservative party, and that it was boasted that Lord Derby had headed the subscription with the large amount of £20,000. Now, this matter has been dealt with by Lord Derby himself. He has denied the subscription of £20,000; he has denied the subscription of £10,000; he has denied the subscription of £5,000; but I do not see that Lord Derby has denied that he subscribed a less sum, such as £200. Not only has he not denied his subscription, but he distinctly admits the existence of a fund of the description to which I adverted, and a subscription to a large amount. Nay, more. With great playfulness he said, that subscriptions of this nature take place at every general election, and that the assertion that these large funds existed had no doubt produced upon some of the elections an effect very different from what I had anticipated. The noble Earl was satisfied with giving to these reports, erroneous in a measure, a contradiction in terms so courteous that I rejoice in having this public opportunity of thanking him for the courtesy of his denial. But, Sir, the Chancellor of the Exchequer declared that upon this matter he was the representative of Lord Derby; and again reverting to his position—the highest in this House—I must say that he indulged in his denial in the use of an expression which during my long experience in Parliament I have never heard equalled. I will say that his denial was couched in terms so offensive that I am almost ashamed to mention them.

THE CHANCELLOR OF THE EXCHEQUER: I rise to order. I shall be most happy if I am able to remove a painful impression from the right hon. Gentleman's mind. The right hon. Gentleman quoted a statement made in an anonymous paragraph. In his speech he referred to the statement as one he had received in that manner, and which he did not make upon his own authority, and that anonymous paragraph I characterized as an impudent fabrication. That paragraph was in my possession, was published and circulated in the newspapers before the speech of the right hon. Gentleman. I might have regretted that the right hon. Gentleman should have assumed, even provisionally, the truth of that paragraph; but I certainly never meant to characterize his statement in the terms which he has quoted.

SIR JAMES GRAHAM: I really, Sir, am rather perplexed as to the course I should adopt with respect to the explanation now given by the right hon. Gentleman. He said that the statement was "an impudent fabrication." Well, Sir, in all my intercourse with that right hon. Gentleman, I am not aware that I have ever said or done anything which could have given him reason to offer me personal offence. I could hardly believe that you, Sir, would have permitted the use of such an expression if it had been clearly applied to a Member of this House. I did not think that the rules of this House would have justified it; and certainly it was not for me to call the right hon. Gentleman to order.

MR. SPEAKER: I think that, perhaps, if I state to the House the impression which the use of that phrase made upon my own mind it may help to terminate this rather painful discussion. The impression made upon my mind at the time (and I distinctly remember the terms employed)—certainly was that, as the right hon. Gentleman the Chancellor of the Exchequer has explained, the fabrication in question had been made use of, but that it had not originated with the right hon. Gentleman the Member for Carlisle.

Sir JAMES GRAHAM: Certainly, Sir, what the right hon. Gentleman has said, confirmed by your high and unimpeachable authority, is some satisfaction to my wounded feelings. But the right hon. Gentleman went on to remark upon the mild influences of age on me; though the right hon. Gentleman presents in his own person a contradiction to the Horatian maxim,—

> "Lenit albescens animos capillus;"

because by experience he knows that one may lose one's curls and still retain one's taste for sarcasm and invective. Sir, I own my age to this extent. I had the honour of a seat in this House when the right hon. Gentleman first took his place in it. I early, indeed immediately, recognized his great abilities, and without envy, without the slightest grudging, I have watched his rise to his present pre-eminence. But intemperate language in a position such as the right hon. Gentleman occupies is always a proof to me of a falling cause, and I regard that speech and those expressions as a happy omen of the coming success of this Motion. The right hon. Gentleman will pardon me if I express to him an opinion. I regard him as the red Indian of debate. By the use of the tomahawk he has cut his way to power, and by a recurrence to the scalping process he hopes to prevent the loss of it. When the right hon. Gentleman uses towards one who has offered him no offence language of the tone and character which he has applied to me, I say this, that I was astonished by the rudeness of the assault; but I readily forgive it on account of the anger and disappointment, the vexation and despair, of the assailant.

> "Nunc ad te, et tua magna, Pater, consulta revertor."

I gladly turn from these personal topics, but under the circumstances I felt it impossible to leave them wholly unnoticed. I now pass on to review some of the acts of the late Government—I mean of the present Government. On Monday next, perhaps, the expression I inadvertently used will be more apposite. Like the hon. Member for Dorsetshire (Mr. Ker Seymer) I was a party to the overthrow of the Government of the noble Viscount the Member for Tiverton. I voted also as that hon. Gentleman did on the China question. I never gave a vote with more confidence. I never looked back upon a vote with less regret. So likewise with regard to my vote on the Conspiracy Bill. I voted with the majority on that occasion, and having overthrown the Government of the noble Viscount, it appeared to me to be a public duty not upon captious or light grounds to oppose the Government which succeeded it. I appeal to the House—I appeal even to hon. Gentlemen on the Treasury Bench—whether through the whole of last year I did not give them a fair support whenever it was in my power to do so. During the progress of the India Bill I did my utmost to render the passing of that measure as easy to them as possible. With respect to the Motion of my right hon. Friend the Member for Oxford (Mr. Cardwell), I agreed with them in condemning the Oude Proclamation. Did I conceal my opinion? Did I not rather do my very utmost to aid them? On no occasion until the introduction of their Reform Bill did I refrain, when a sense of public duty allowed of it, from supporting them. I may be permitted to advert, as other hon. Members have done so, to the first India Bill which they proposed. I see opposite to me the noble Lord the Secretary of State for India. I admire his talents; I think highly of his administrative skill; I sometimes almost regard him as the *spes altera Romæ.* For that first India Bill I believe he was not immediately responsible; but it was a Bill not actually stillborn but smothered with ridicule almost before its first feeble cry was heard. The noble Lord afterwards brought forward a measure of substitution, and I must be allowed to say that in dealing with the grave difficulties of India he has not been very successful. After the termination, or rather the overthrow, of that fatal mutiny in India by the skill of our Generals, the gallantry of our troops, and the ability of the civil and military servants formerly attached to the East India Company, two great difficulties remained. These were the financial affairs of India and the reorganization of the Indian army. Now, how has the Government handled these great questions? With respect to finance and debt, the statement was officially made to the House about the 8th of February that the Indian Exchequer would require assistance by loan to the amount of £5,000,000 sterling. A month, however, had hardly elapsed before it turned out that this estimate was deficient by a sum of nearly another £5,000,000, and it now remains for this House to provide a further loan to the extent of £5,000,000. Next as to the reorganization of the Indian army. What is the position of affairs as to that problem at this moment? While the state of Europe has for some time past been such as to cause anxiety in many quarters, 100,000 English troops have been detained at the opposite quarter of the world. As late as March last the Executive Government sought to send to India ten companies of artillery. I do not see the hon. and gallant Member for Westminster (General Evans) in his place, but we all know that it was by the intervention of this House, at the earnest entreaty of that gallant officer, backed by the opinion of many other hon. Members, that the sending out of those ten companies of artillery was prevented. But is that all? The reorganization of the Indian army is the capital difficulty with which the Government and the Legislature of this country have to contend, if we hope to give permanent security to our Indian possessions. Well, what has the Government done with regard to that great question? They threw it down before a Commission. There are arrayed on that Commission two Secretaries of State—the Secretary of State for India, and the Secretary of State for War—the Commander-in-Chief, and Indian authorities, and servants of the Crown. They are so exactly balanced in numbers, so equally divided in opinion, that they have, as I believe, looking to the evidence and the questions put, a Secretary of State on each side, the Commander-in-Chief and the Queen's officers inclining one way, while the Company's servants and other authorities incline the other. The consequence is that this great question not only rests in suspense, but is the subject at this moment of the greatest conflict of opinion, and it remains still undecided by the authority of Her Majesty's advisers. Talk of divisions! Where could you have wider division than that which exists between the Secretary of State for India, the Commander-in-Chief, and the Secretary of State for War on this subject?—yet their united counsels are necessary to bring this important subject to a definitive solution. A word upon the subject of finance. I was not disposed willingly or needlessly to oppose the Government, or to offer any hostile remarks upon their budget of last year; but what was that budget? Without the intervention of Parliament, upon the responsibility of Government, it allowed £2,000,000 of direct taxes in the shape of income-tax to be remitted. It allowed to remain unremitted £3,000,000 of war taxes upon tea and sugar and other necessaries largely consumed by the people. It increased our debt in time of peace to the extent of £2,000,000 by a fresh loan; and if that sum has since been repaid, it can only have been so out of the balances at the Exchequer, which it is an object of paramount importance to keep full at so critical a juncture as the present. The hon. Member for Dorset has adverted to the subject of church rates. Here, again, notwithstanding my earnest desire to support the Government, I found it utterly impossible to countenance the measure which was brought forward by the right hon. Gentleman the Member for Cambridge University on behalf of the Government. It appeared to me to violate every principle for which a Churchman could contend with respect to the union between Church and State; while it offered a premium to Dissent without satisfying Dissenters; it left an angry controversy open; in short, in my opinion a more feeble effort to deal with a great difficulty was never witnessed in this House. So with respect to the Jews. Of all the impotent conclusions that Parliament ever arrived at, I think the so-called settlement of the Jew question stands unparalleled. It leaves the difference between the two Houses untouched, and, so far from preventing controversy, it is so shaped that in each Session the question can hardly fail to be revived. Already, Sir, you have had ample proof that it has not put an end to angry and disagreeable contention in this House. I now turn to foreign affairs—though I do not intend to travel at length into that matter. I must say, however, that I heard with surprise a statement made by the Chancellor of the Exchequer the other night with regard to Austria. He said, speaking of the Resolution proposed at the end of the late Parliament by the noble Lord the Member for London, that the carrying of that Resolution altogether paralyzed the influence of England with the Cabinet of Vienna: that after the success of that Resolution Her Majesty's Government were looked upon as a dead body, and the counsels of the British Cabinet were altogether unavailing. I am open to correction, but if I am not much mistaken, it was after the vote in question that the Government of Lord Derby advised the Government of Austria to suspend its threatened invasion of Sardinia until a proposition made at their instance to France and Sardinia had received an answer; and, so far from their influence being paralyzed at Vienna, in an evil hour the Austrian Government hearkened to their counsel, and suspended the invasion of Piedmont for four days, to their own great and, perhaps, in a strategical view, irreparable loss. I differ from the hon. Member for Birmingham with regard to the policy of the Government in arming the fleet. Their conduct in that respect has been, I think, quite correct. With the view of mediating at a fit opportunity between the contending parties, and in the interests of peace, it is right that England should be strong, and strengthening our fleet has this great advantage, that to continental Powers who fight with armies England so armed cannot be an object of suspicion or anger. The dissolution of the late Parliament, however, is a point upon which the Government are fairly liable to severe censure. That dissolution was in theory a rash and improvident measure, while practically it has led to evil results. [" Oh!"] I am not speaking of evil results in a party sense, but of evil results in a national sense. Is it seemly that the First Minister of England, having made a declaration of policy in the House of Lords, and circumstances varying, and he seeing it to be necessary more or less to correct his statement, should not have an opportunity of making that correction in Parliament, where his authority is supreme, but should be driven to explain himself at a civic feast in the Mansion-house of the city of London? The Under-Secretary for Foreign Affairs has talked of the levity of hustings speeches, but what was the extraordinary gravity of the speech which he addressed to his constituents at Horsham? Some doubt had been thrown upon the question of the relations between France and Russia. There was no opportunity of answering any question here or in the House of Lords; Parliament was dissolved; and the hon. Gentleman was compelled by a sense of public duty to make the following important communication from the hustings at Horsham:—

"In connection with the question of the supposed alliance between France and Russia, the Government of this country considered it their duty to address to the Emperor of Russia a direct and categorical inquiry as to whether such a treaty containing anything hostile to England did exist; and the answer received from Prince Gortschakoff was as follows:—'I do not deny that there may exist a written engagement between France and Russia, but I can assure you in the most positive manner that such arrangement contains nothing that in the most distant manner could be interpreted as constituting a hostile alliance against Europe. If Lord Malmesbury should be questioned on the subject, he may answer with confidence in the above sense, and I give you my personal guarantee that the declaration will not be falsified by the facts.'"

MR. SEYMOUR FITZGERALD: I may be permitted to state that in one report of my speech the language which the right hon. Baronet has quoted is certainly attributed to me; but if the right hon. Gentleman refers to other journals he will find that the word "Europe" is simply a misprint for "England." The expression used in the answer received from Prince Gortschakoff was, "a hostile alliance against England."

SIR JAMES GRAHAM: I am glad to receive the explanation of the hon. Gentleman; but could anything prove more conclusively the inconvenience, to say the least, of having such important matters communicated to the public in an election speech, with imperfect means of reporting?—and what must be the opinion of Prince Gortschakoff when he hears that during an interregnum of nearly six weeks our Government were driven to the necessity of publishing the contents of important despatches from the hustings at an election? But the awkwardness does not end here, for I understand that the Chancellor of the Exchequer gave to his constituents at Aylesbury a somewhat different account of the Russian communication. The Under-Secretary for Foreign Affairs did not deny that Prince Gortschakoff admitted there was a written engagement, but I think the Chancellor of the Exchequer said at Aylesbury that there was no written engagement.

THE CHANCELLOR OF THE EXCHEQUER: No treaty.

SIR JAMES GRAHAM: No treaty—a written engagement as distinguished from a treaty. But if there be nothing hostile to England in this written engagement which is not a treaty, why has it not been communicated to England? Has it been so communicated? If it has not, that is a circumstance of the utmost gravity, capable of exciting serious apprehension, and showing how dangerous it was to disable the

Crown from taking the advice of Parliament at so critical a juncture. Now, I have before said I entirely approve of an efficient armament. But during the interregnum, and when the Government, as described by Lord Derby himself, was in the position of an officer about to be tried by court-martial, with the judgment not yet pronounced, when he could not tell whether his sword would be returned to him or not—under these circumstances Her Majesty's Government has, without the advice and knowledge of Parliament, taken two of the most important steps with regard to the army and navy any Government could adopt. Public necessity may have justified those measures. I am not prepared to deny that they were necessary; but I say this, that by adopting those measures Her Majesty's Government have exposed themselves to a most awkward alternative. They either knew there was an imminent danger of war, or they were ignorant of it, and had been grossly deceived. I do not think they would attempt to deceive us; but being deceived themselves, and having recklessly dissolved Parliament, they were involved in a great constitutional difficulty, and dealt with the army and navy in a manner I will shortly describe. First, with regard to the navy; they have issued a royal proclamation in which they offer a large bounty—£10 to able seamen, £5 to ordinary seamen, and £3 to landsmen. Now, I deny that any offer of a bounty was necessary in the cases of the ordinary seamen or landsmen; and with respect to able seamen Her Majesty's Government have forestalled the decision of this House upon a question of the gravest and most difficult character. The hon. and gallant Admiral the Member for Southwark has stated that the number of able seamen likely to be obtained by the bounty is small; but, small or great, the offer of the bounty involves an immense principle. What will be the effect of this bounty offered to novices on the 40,000 experienced men now serving in your fleet? What has been the experience of the operation of a bounty in the army? Has it not led to desertion to an enormous extent—to the desertion of not less than 20,000 men in the year? How will the bounty react in the naval service in your Channel fleet? Will you venture to give leave of absence to your seamen who have not received the bounty? And if you do not, what will be the effect on their contentment? Then, again, with respect to the system of continuous-service men, which every wise naval administrator during the last five years has endeavoured to encourage, you must ask yourselves whether any men are likely to enter for continuous service when they know, that not in a time of war, but under the distant apprehension of war, a bounty of £10 is offered to every able seaman? And what must be the effect of the system on the merchant service? I have always contended that the effect of offering a bounty must be to raise the rate of wages in the merchant service by more than a corresponding amount; and I have been informed that wages have recently risen by not less than 20*s.* a month. Now, taking the number of men in your mercantile marine at 300,000, it is evident that an increase of £12 a year in the wages of each man would be equivalent to the imposition of one of the heaviest taxes to which the shipping interest could possibly be exposed. It would bear it were it necessary; but is it necessary? During the Russian war I resisted the plan of a bounty, yet I and my colleagues succeeded in manning the fleet. I am persuaded that this plan of a bounty in time of peace forestalls that which is the compensation for compulsory service formerly exacted at the commencement of war. You have had recourse in time of peace to an expedient that should be strictly reserved for a time of war, and I believe the measure is imprudent and impolitic in the highest degree. With regard to the army, the Government has, by another proclamation, encouraged the arming of the entire community; I am wrong in saying the entire community—it is one class of the community only. But if the system is carried out this class-arming cannot stand for a moment; and if you arm the whole community the utmost precaution will be necessary—precautions carefully considered and wisely framed—or the consequences will be dangerous to the State. On this subject I will refer to an admirable passage in the works of M. Guizot. When Louis Philippe came to the throne it was his duty to assist in the organization of the National Guard of France. Of this measure M. Guizot says:—

> "The danger and the merit of the National Guard consist in the excitement of hopes essentially different. Different classes in the community view a project of this kind from different points of view. All entertain their peculiar hopes, and all favour for the moment the establishment of a National Guard. The powerful organization of this body gave great satisfaction to those who were uneasy with respect to the independence and foreign influence of the nation."

That is the view of the leading journal of the day in this country:—

> "The friends of order hoped to find in the National Guard a force ready to maintain order, should the army fail from its weakness or disaffection. The Liberals flattered themselves that the National Guard being always available, a great standing army would no longer be necessary."

This view is also entertained in this country:—

> "The democrats were delighted to see the great body of the people armed, and thus placed in a position to interfere with effect in the management of public affairs."

Now, I think these sentences are pregnant with warning. Yet Parliament, not being sitting, by an act of the prerogative alone, the first step has been taken towards the establishment of a National Guard. During the interregnum, the Executive, with a boldness far exceeding its strength, has decided questions with regard to both army and navy greater than any Government ever before dealt with. I will now only trouble the House with one short reference to the subject of Reform. This was one of those questions on which I found it impossible to continue my support to Her Majesty's Government. The right hon. Gentleman the Chancellor of the Exchequer said, and said truly, with respect to the £10 county franchise, that the Government thought it expedient to accompany it with some countervailing provision, that might modify the application of it. When he came to speak of the borough franchise, he said that the great danger, in his view, was "keeping the word of promise to the ear," while "breaking it to the hope." Now, that is an exact description of what the Government did with regard to the county franchise; by countervailing provisions they contrived to neutralize it, and even to throw its influence in the opposite direction. But we have not fought this battle in vain. Her Majesty's Government have suddenly discovered that a lowering of the borough franchise is desirable. In the last Parliament the right hon. Gentleman the Chancellor of the Exchequer contended, with a pertinacity and an ability which I well remember, that the principle of the Government Bill — a principle which they would not allow to be touched— was the identity of the suffrage in the counties and the boroughs. Now, however, the right hon. Gentleman not only discovers that it is expedient to lower the borough franchise, but he actually holds out a prospect of a wide disfranchisement of the small boroughs, and a reconsideration of the question of a redistribution of seats. But why were not these concessions made in the last Parliament? If they had been as frankly made before the dissolution as they were made on Tuesday last, I am satisfied that a Bill might have been carried with the consent of a large majority of this House, to which the other House of Parliament also would have given their sanction, and this angry question of a Reform of Parliament might have been settled on the very basis which Her Majesty's Government now contemplate. That is not a new view of the subject. It is precisely the view which the sagacity of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) and the integrity of the right hon. Gentleman the Member for the University of Cambridge presented to the Cabinet when this subject was first taken into consideration by Her Majesty's Government. Well, now where are we? The principle of identity of suffrage being essential in the view of Her Majesty's present advisers any lowering of the franchise in boroughs was dangerous, inadmissible, and in favour of the views of these democrats with whom I and the hon. Member for Birmingham are classed. So dangerous was it that it was not to be tolerated for a moment. ["Hear, hear!"] Gentlemen behind there cheer. What, may I ask, is your view of it at this moment? Are you prepared for a £10 franchise without compensating provisions, and are you prepared for a considerable lowering of the franchise below £10, and for an extension of disfranchisement and redistribution of seats? Is that your view? Say so with the Government, and then all the difficulties with respect to Reform will for the present be at an end. But I say that great questions have been paltered with, great hopes have been excited. I have some sympathy with the late House of Commons which the right hon. Gentleman the Member for Droitwich (Sir John Pakington) treats with so much contempt. I think that it was treated in an unworthy manner. But you shall hear, both with respect to the dissolution and with respect to the vote of want of confidence, words which convey with the utmost vigour and perspicacity the opinion which I entertain as to this Amendment; and perhaps the House will bear with me when I say that it is with this quotation that I mean to conclude. The words are these:—

> "For the exercise of the prerogative of dissolving, for the time, for the mode, for the occasion, for all the circumstances attending a dissolution, the advisers of the Crown will be responsible to a future Parliament. It is a desperate effort by means of agitation and excitement to prop up for a while a tottering Administration. There is a time when the measure of the iniquities of a Government is full. There is a time when if they refuse to listen to the voice of friendly warning or to attend to gentler hints, forbearance must end, and the plainest language must be spoken to them."—[3 *Hansard*, lviii. 1173.

The quotation I have read from are the words of the Earl of Derby in 1841, when I had the honour of voting with him on a Motion made by Sir Robert Peel, of want of confidence in the Government of Lord Melbourne. The time has arrived. Hints are disregarded. The plainest language must be spoken. The noble Marquess has proposed words sufficiently intelligible, there can be no mistake, and without hesitation I give my support to the Amendment of my noble Friend.

MR. WHITESIDE:—Sir, the right hon. Baronet who has just spoken, with more than his usual ability and lucidity, has asserted—and I must say in a somewhat confident tone—that the Amendment of the noble Lord would be affirmed by the vote of the House. If, after a fair and impartial hearing the House is of opinion that the Amendment ought to be affirmed the decision will be one to be submitted to with cheerfulness and respect by Her Majesty's Administration. But before that decision is arrived at common justice requires that something should be heard on behalf of an Administration which the right hon. Gentleman, with all deference to him, has maligned. We were prepared for this Amendment, long before the noble Lord gave his notice, by the discussions that for some weeks before the meeting of Parliament took place in the press. I confess that I read those discussions with pain and humiliation. There was in them no exposition of principle; there was no statement of future luminous measures; there was no profound policy sketched out: but the burthen of all the articles of the Whig journals was this—will the noble Lord the Member for London agree with the noble Lord the Member for Tiverton? "Oh! happy day; oh! joyful hour"—the noble Lord the Member for London smiles on the noble Lord the Member for Tiverton.

> "The dawn is o'ercast, the morning lowers,
> And heavily in clouds brings on the day."

For the noble Lord the Member for Tiverton frowns on the noble Lord the Member for London. On that smile or on that frown depend the hopes, the fears, the fate, the glory of England. These noble Lords have combined. What are the opinions of the great sections or parties who are either to adopt or reject this proposition it is not for me to say. We may remember that the Resolution of the noble Lord the Member for London was carried, and Her Majesty's Government are still in their places; and why? Because the noble Lord the Member for Tiverton in his speech in the last Parliament condemned them to retain their places, and Her Majesty's Ministers have done their best to obey him. What did the noble Lord now say? He said, "Why you are a most provoking party, your discipline is so perfect, your order is so complete, that when I wish you to speak you maintain silence." In anticipation of the noble Lord we were silent; while he spoke of course we were speechless, because we were under the wand of the Enchanter. But what has he said? From the position he holds I expected to hear him, when he rose to address the House, expound the principles of the new coalition, and claim the support of the House according to the principles which he advanced or the measures which he might announce. He did neither. And how did he argue his impeachment? Was there ever, even for a man of his imagination, a speech more singularly destitute of freshness or novelty? He commenced with the old story of the Conspiracy Bill:—and I must say the noble Lord was not very respectful to the last Parliament that heard that measure discussed and that decided against it, because he expressed no remorse, no repentance for having introduced that Bill. In point of fact, while he commented upon the conduct of the Government he censured the Parliament that censured him, and so disposed of the Conspiracy Bill. Then he proceeded to India. But how wearisome it is to refer to an old debate, in order to discuss how the India Bill was carried. From a practical man we might have expected a proof, if that were possible, that the Government of India under my noble Friend (Lord Stanley) was weakly, inefficiently, or corruptly conducted. If the affairs of India have been wisely and well managed it is a poor ground on which to impeach the Ministry to refer to former debates, which led to the carrying of the measure under which the Government of India is now conducted. Well, then, he said, all your domestic measures have been failures. Now, the noble Lord is a fair opponent in debate. Is that accurate? I might ask him, at the period when he himself conducted the domestic affairs of the country with what measure of public utility is his name is to be associated. Might I take the liberty of inquiring of him what is the character of that measure to simplify the title to Landed Estates in England, on the introduction of which the hon. and learned Member for Wolverhampton congratulated my hon. and learned Friend, the Solicitor General upon serving a Ministry that allowed him to bring forward a measure of so large a nature? What right has the noble Lord to asperse the Administration and say, "You never proposed a domestic measure that was not a failure," throwing out that imputation in the lump, but not condescending to details? The noble Lord then proceeded to the great question of his life—and this question is one to which I will allude as shortly as possible. The noble Lord suggested that if another Minister—which was a delicate allusion to himself—had been in office, that war might not have been raging, which was now destroying the fairest portion of Italy. The noble Lord, who moved his Amendment in a speech that was very graceful and eloquent, and contained, I presume, an exposition of the principles of unadulterated Whiggism, expounded what the principles of Mr. Fox were. He said he wished to see those principles upheld by the great party to which he belongs, instead of the opinions of Pitt and Castlereagh being acted upon by the existing administration, and he stated correctly what the opinions of that great champion of popular liberty were. I admit that Mr. Fox advocated the principle of non-intervention in the affairs of Foreign States. Nay, he went the length of insisting, against Mr. Pitt, that when the French nation cut off the heads of the King and of the Queen of France, England had no right to interfere. I admit the principles of the noble Lord, and the only thing I quarrel with is their misapplication; because adopting his principle and adopting the argument of the noble Lord, I shall insist upon the vote of the hon. Member for Birmingham as a just man, against the speech that he has made to-night, if he would rather, as he stated on a former occasion, vote against those who would pursue a policy of interference, than vote for others who would declare in favour of the disfranchisement of one or two rotten boroughs more than their opponents. I shall apply myself solely to the question of Italy. Diplomatists are pleased to say that there is something in the question of foreign politics which is difficult for plain, every-day men to understand; but there is no such difficulty in this case. The noble Lord who moved this Amendment and the noble Lord the Member for Tiverton argue that the conduct of the Government has led to this war, and that the management of foreign affairs would be in safer and wiser hands if transferred to those gentlemen who sit opposite. But I will disprove that by a very short and temperate statement. I will show in a few simple words how this Italian question recently stood, and how the noble Lord the Member for Tiverton behaved respecting it. What was the state of Europe in 1848? Louis Philippe was overthrown, France could not engage in the affairs of Italy, because she was entirely occupied with her own internal affairs—with questions which concerned her social existence. Radetsky and the Austrians had withdrawn from Milan, and the Austrians proposed to the English Government to deliver up the whole kingdom of Lombardy if we would act as mediators. The noble Lord was informed that the fate of Italy was in the hands of England, because France could not interfere. The noble Lord himself has stated that the object of the great settlement of 1815 was to exclude the French from Italy—that Lombardy was forced almost on Austria, and that she took it unwillingly to preserve the balance of power, and in order to exclude France. Austria proposed to withdraw from Lombardy, on equitable terms, which the noble Viscount rejected. The noble Lord has contradicted me once before on this matter, but I hardly think he will contradict me again. Let me call the attention of the right hon. Baronet the Member for Carlisle to the part which he took in this very transaction—because how he and the noble Lord are to sit together in the same Cabinet, I cannot understand. A special message came from Austria to the noble Viscount, and offered to the noble Viscount the entire kingdom of Lombady if we would interpose as mediators in the quarrel.

After ten days' consideration the noble Viscount answered that England would not interfere unless Austria would agree to give up not only Lombardy but Venice. Lord Ponsonby apprized the noble Lord that Austria would not give up Venice—and our offer was refused. Radetsky again drew the sword—the war broke out in Italy — what followed everybody knows, and I assert that the noble Lord is thus the author of all the confusion which now prevails there. Lord Normanby knows the truth of this, for four months afterwards the noble Viscount opposite wrote to him a despatch imploring him to use all his influence with the French Government to induce Austria to repeat the offer she had made; but Austria refused, and told us it was too late. The right hon. Baronet the Member for Carlisle, who to-night exerts his eloquence to endeavour to bring back the noble Lord to power, investigated this question carefully and closely, and let me read to you the bitter words in which he described the noble Viscount's conduct and character. "Austria," he said—

> "Austria, at the moment the first onset was made, appealed to the noble Viscount and to Her Majesty's Government, in the midst of its difficulties, to mediate between her and Piedmont. But what was the *sine qua non* on our part towards a friendly Power in the midst of difficulties? The noble Viscount insisted, as a condition precedent to an acceptance of the mediation, that Austria should not only abandon Lombardy but surrender Venice; and as Austria would not consent to the surrender of Venice, the noble Viscount declined to undertake the mediation. It is impossible to say what has been the effect of that act of the noble Viscount. My belief is, that the insurrection of Hungary was the consequence; and, what I regret as much as any man, the intervention of Russia, the interference of that country to crush the Hungarian insurrection having thus been rendered necessary."

That is a severe criticism; but I maintain it to be strictly true; if it were not I would not quote it. And now follows worse:—

> "Has the noble Viscount promoted the cause of Italian liberty by the course he has pursued? Piedmont was twice in one year at the mercy of the invading army of Austria. Rome is in possession of the French army. Lombardy is under the military rule of Austria. Venice was reconquered. And we cannot forget the daring exploits in Naples, which the noble Viscount was so anxious to uphold."

That is the summary of the foreign policy of a Minister who has told you in this debate that the foreign policy of the country is in such unsafe hands that unless you transfer the management of it to him—him, who is branded by the right hon. Member for Carlisle as the author of the war in Italy and the insurrection in Hungary—you will not discharge your duty to your constituents. I see opposite, too, a right hon. Gentleman who signed the circular to call the meeting at Willis's Rooms, who understands the Italian question well; and he, I remember, in this very matter charged the noble Viscount with what I should be slow to impute to him—equivocating with the Ambassadors of foreign Powers, and dealing with the Ministers of other States in the spirit of an attorney. Such is the opinion of a right hon. Gentleman, the Member for Wilts (Mr. S. Herbert), who called a meeting to restore the noble Viscount to Power. That opinion was expressed in reference to a matter of which I dare say the noble Lord the Member for the City of London will remember something — the political escapades of Lord Minto in Italy — "the wandering missionary," as Sir William Molesworth called him. Did any man ever hear of a Government sending out a nobleman to exhort the subjects of a foreign State to agitation which might end in insurrection, to make speeches to the crowd from a balcony, and call out to them "*Viva l'Indepenza d'Italia*"? The right hon. Gentleman, in the words I quote, gave the House an admirable summary of all the absurdities and follies which were perpetrated by that noble Lord under the direction of the noble Viscount opposite.

> "Well, we got deeper and deeper in the mire of those arrangements, till, step by step, the noble Lord arrived at the conclusion that Sicily must be separated from Naples, and set up as an independent State. Sicily, with a population not exceeding that of this town, the only question with him being whether that State should be a republic or monarchy. We began by promoting constitutional reforms; we ended by promoting separate nationalities."

The ability with which the facts relating to this matter were investigated by the right hon. Gentleman, and the ridicule which he heaped upon the noble Viscount, convince me that, if with his experience and knowledge of Italian affairs he sits down in the Cabinet of the noble Viscount, it will last but a very short period. Without all their teeth drawn I cannot conceive how this "happy family" is to get on, but I am convinced that if such a Cabinet did not speedily fall to pieces it would plunge the foreign policy of the country deeper into the mire than it has ever been before. I agree with the noble Marquess who moved this Amendment (the Marquess of Hartington), that Fox laid down correct principles as to the foreign policy of this country; but I submit to him that I have shown the noble Viscount opposite to have violated these principles most signally in the instance of Italy at least. What is the meaning of non-intervention? Every law book on international law lays it down that you have no right to interfere in the domestic affairs of a foreign nation, but I should like to ask any reasonable man (not a diplomatist) why did we withdraw our Ambassador from Naples? As I understand it, the meaning of that act was that France and England were of opinion that they had a right to direct Naples as to the manner in which she ought to conduct her internal Government. It could not mean anything else, for Naples never showed any disposition to attack or insult us. What, then, becomes of the noble Viscount's practice of Fox's principles of non-intervention? But what do you say to the noble Lord's behaviour to Belgium? Belgium is a free State; Belgium took no part in the Russian war, and never made any attack upon us; yet, what was done by the famous Treaty of Paris with respect to Belgium? Why, Lord Clarendon and the representatives of France, without any notice to Belgium, signed a protocol, purely, I believe, to gratify the Emperor of the French, compelling her to modify her free press according to the demands that might be made upon her by the Government of France. These are my short grounds for stating that the foreign policy of the noble Lord has been incomprehensible, and that you ought not to change the Administration at least upon the ground of his superior management of foreign affairs. But there are other points that have been made in the course of this discussion, and I come at once to the speeches of the hon. Member for Birmingham and the right hon. Baronet the Member for Carlisle. It has been said that comparisons are odious; but I protest that I prefer the manly, bold, and candid opposition of the hon. Member for Birmingham to the slow and subtle accusations of the right hon. Baronet, delivered with much solemnity, but with no small carcasm. The right hon. Baronet comes before you, he says, an injured man, and in a most unforgiving manner he forgives you. What right has he to represent himself as an injured man? I, too, like others, have read his speech at Carlisle, and I have to call him to account now for his imputations upon me and the Government of which I am a Member, and from which he shall not escape. When the right hon. Gentleman speaks under the blue flag of Carlisle a sacred flame of vehemence is kindled within his breast, and he employs a very different tone there from the calm and solemn and deliberate manner in which from the heights of his philosophy he lays down his maxims of policy for your adoption. But what right had he to attack my right hon. Friend at the head of the Admiralty, or my gallant Friend the Secretary for War, in a manner so unjustifiable that he has been compelled to withdraw his accusations? Is it only the honour of the Member for Carlisle that is sacred in this country? What was the meaning of his coming here to-night fortified with his placard in his pocket? What was his accusation? It was that an act of corruption had been perpetrated by a gentleman as pure in his public conduct as any man who ever crossed the threshold of this House. And what is his excuse for that unjustifiable charge? That he had forgotten that the change made in the allowance to the soldiers was done under an Act of Parliament. He admits that he was entirely mistaken; and then, in effect, he says, "I charged an act of political corruption. I find that I was all wrong; but you ought to be greatly obliged to me for confessing my error, when I couldn't help it." The real fact is that the War Office circular to which the right hon. Baronet referred was the immediate consequence of the passing of an amendment in the Mutiny Act. It was issued and signed by the proper officer without any communication whatever with the Secretary of War, and the Under Secretary who drew out the circular was Sir Benjamin Hawes, who is, I believe an excellent Whig, and according to the tenets of Gentlemen opposite, a Whig can do no wrong. The right hon. Baronet this evening said that he would not notice Galway and the Lever line of packets; but I shall notice it. I assure the right hon. Gentleman that when his speech reached Ireland it very much hurt the feelings of many persons there; and you will observe that the advocate of popular rights speaking on the hustings considers that he has a licence there that would not belong to him elsewhere. He says in his speech at Carlisle—"What is the case as to Galway? Here I can speak more positively." He certainly was more positively wrong if possible. But I must read his charge in his very words. After stating the nature of the Cunard contract he comes to the charge of corruption, his object being to account for the result of elections which had recently taken place in Ireland, not according to what we know to be the fact, but according to his own uncharitable exposition of the matter. When I have shown the right hon. Gentleman that his statement is groundless, I have no doubt that, with the same generosity that has characterized his retraction of all the other charges, he will, in the handsomest manner possible, make reparation to those whom he has aggrieved. His charge is this:—

> "Now, Government bethought themselves, at the instance of a valuable body of members in the west of Ireland, that it would be desirable to add to this communication a communication by Galway, at a cost of £70,000 a year. I say it would have been cheaper for the people of England to give the Government £100,000 capital to be expended in secret service money in buying up the Galway votes and debauching the voters rather than £70,000 under contract for seven years."

The charge is too plain to be misunderstood. You, the Members for the West of Ireland, made a corrupt proposition to a corrupt Government, and that corrupt Government, on the eve of an election, made this bargain; whereas it would have been cheaper to have bought you with cash, and to have given you the means of debauching the voters of Ireland. The right hon. Gentleman is familiar, I have no doubt, with the writings of Sheridan, and he will remember that that incomparable wit describes those who draw upon their imagination for their facts. Where, I ask, were the facts to justify that statement made upon the hustings at Carlisle? What authority had he—I will not say for inventing, but for imagining that charge which he brought against a body of Members of this House and against the Government of which I am a humble Member? That accusation is utterly destitute of foundation. I beg to inform the right hon. Gentleman that neither Lord Eglinton, nor Lord Derby, nor any Member of the Government would be guilty of the practice to which he adverted any more than he would himself. What are the facts which he did not make himself acquainted with? In 1852 I sat upon a committee which was held at the Mansion House in Dublin, when a most eminent merchant, Mr. Guinness, was Lord Mayor of Dublin, and upon the committee were Mr. G. A. Hamilton, Colonel Latouche, the present Chancellor of Ireland, the Lord Mayor, and myself. The question which was suggested by a large body of mercantile men to that committee was whether, in consequence of the great traffic that existed between Ireland and America it might not be possible to establish a packet communication between Galway and Halifax, which the map showed to be the shortest line of communication between the great continent and Ireland. I ventured myself to write a pamphlet on the subject — although the discerning public would not read it—to prove what I had believed for many years. The Belfast Chamber of Commerce investigated the subject, and so did various other mercantile bodies throughout Ireland. The Belfast men said, If we get this communication from Galway, we will complete the lines of railway from the west to the north — we will send all our traffic to the west of Ireland — we shall have a mail which will give us our letters and our remittances one or two days earlier than we receive them now; and as an integral part of the British empire we think that we have a right to this accommodation. Now, what was the contract? Not one farthing has been paid upon it yet, and never will be, unless it be possible to construct that description of vessel which shall make the passage from Galway according to the terms laid down in a strict bargain. When those vessels shall be made and that accomplished, the contract may take effect—but not till then. Now, every Member of Parliament from the north, south, east, and west of Ireland is in favour of a communication from Ireland to America; but the right hon. Baronet, instead of viewing with favour the feeling of an entire nation, and recognizing its right to demand a moderate stipend to promote the traffic between two great and free countries, turns round upon the Government, and stigmatizes its members as corrupt for listening to these just and reasonable demands. I warn the right hon. Baronet against this harsh policy, and he will excuse me for giving him this warning. The elections for Ireland are over. For the first time since 1829 a Conservative majority has been returned. Let him not suppose that if we do, by the confidence of the country, gain political power, that we are about to use it otherwise than to promote and advance the good of all classes. Is it true that Galway is corrupt? Why the noble Lord who represents that town is in opposition to the Government. The interest of his family is rather given to the noble Viscount. I never heard that he has been corrupted by the contract. I have never heard it, and I do not believe it. He will vote, I suppose, against the Government, as he has always manfully done, and that will be the best refutation of the charge that the Members of the west of Ireland have been debauched or corrupted. The next point which the right hon. Baronet made was the Roman Catholic compact. Too long have the Whigs used the religious question for their own benefit. As long as the Roman Catholics of Ireland voted for the Whigs they were a virtuous, enlightened, grateful, and consistent people. After the Whigs have for many years possessed power and done nothing—after long experience of their inability to do any good for the country, some Roman Catholics think fit to exercise the franchise in favour of native gentlemen whose families sat in former Parliaments; they say they are tired of all agitators, and they have returned — to their honour be it spoken — men whom they can believe. And now they are accused of being factious and corrupt? I beg to inform the right hon. Baronet that I might retort on him—coalitions are odious. As for myself, I represent my native University, and it is the highest honour which I can ever hope to possess. But the right hon. Baronet is mistaken if he supposes that I am about to join him and certain so-called religious journals, which write up the noble Viscount while maligning the Roman Catholics because they thought proper to support, without corruption, men who, I trust, will benefit the empire. A coalition is a very odious thing. There has been a coalition Government. The noble Viscount was Home Secretary, and the right hon. Baronet was then in office. A coalition was made in Ireland which will never be forgotten, as the saying is, "while grass grows and water flows." Mr. John Sadleir was made a Lord of the Treasury. I have just had in my hands the papers relating to the last of that party who was placed in the Income-tax Office, and has become a defaulter. One was expelled from this House. Another is said to have committed suicide. Another was likewise in the Income-tax Office, and having committed serious offences escaped. That was a coalition which we can all understand and remember. I am of opinion that the rank and distinction which were then given to the notorious principal of a provincial bank gave credit and circulation to its paper, and caused ruin to many innocent persons. I ask who was it placed Mr. John Sadleir in power? The noble Lord the Member for the City of London is not likely to inquire how it happens that he does not possess that popularity in Ireland to which his personal virtues, commanding talents, and great distinction might entitle him. I have always received the utmost courtesy from the noble Lord, but insult is remembered more than injury. He once described the Protestants as a miserable, monopolizing minority, in a passage which is not original, for I found it in one of the orations of Mr. Fox.

Lord JOHN RUSSELL: I quoted from Mr. Fox, and I stated at the time that Mr. Fox had used it.

Mr. WHITESIDE: We have only been accustomed to it in Ireland in its original shape, and I am glad the noble Lord was so candid as to refer to the authority which he quoted. The noble Lord described the Roman Catholic religion in his celebrated letter, and so disposed of the Irish nation. It was said, that when Parliament created the £12 voting franchise in Ireland, the Conservative party would be destroyed; but the fact is, that it is stronger than it ever was. The right hon. Baronet talked of the Catholic combination, and said he had read in the speeches of the hon. Member for Dundalk (Mr. Bowyer) something about a charter, and that we had granted it.

Sir JAMES GRAHAM: I said it was incredible that you should advise it.

Mr. WHITESIDE: I understood the right hon. Baronet to insinuate that, coupled with the fact that I am member of a Protestant University, though it is not exclusively Protestant, and has not been for the last sixty years, I was to assent in some way to this charter which is to be granted hereafter to a Roman Catholic college in Dublin.

Sir JAMES GRAHAM: I said just the reverse, that it was incredible you should advise such a charter.

Mr. WHITESIDE: That is a mode of speech. When a man wishes to insinuate a thing, he says it is quite incredible. I will give a clear and satisfactory account of what happened on that subject. Twenty-five Irish Members of Parliament waited as a deputation upon the Chancellor of the Exchequer, as twenty-five Members waited upon him in reference to the land question, and they asked the Minister to be good enough to consider the subject of the charter. It was totally unconnected with the elections, and I believe occurred a month or two before the elections. Let me ask why these should not so act, if they thought fit? We see what are the ideas of the right hon. Baronet. If Members of Parliament only ask what he approves, they are very well-behaved men; but if they notify that they have a demand to make of a public nature, of which he disapproves, and which is published in the newspapers it is a conspiracy. These twenty-five Members did wait upon the Minister. The Minister heard them for the first time in his life, and informed them that the subject would be considered. Neither myself, nor the Chancellor of the Exchequer, nor the Lord Lieutenant, nor my noble Friend the Chief Secretary, nor any one that I know of, directly or indirectly, gave any promise, express or implied, in reference to the charter to induce those gentlemen to give any vote they do not choose to give on this or any other night. The right hon. Baronet is accustomed to give us the chilling testimony of his experience of political life. I am not a very old Member, nor have I long been a servant of the Crown, but I understand it to be my duty, as a servant of the Crown, to act directly, honestly, and in a manner which will bear the test of investigation, and I do not understand the policy to which the right hon. Baronet is accustomed if it be that description which he exemplifies. I will state everything which passed in reference to the Roman Catholic party without reservation. They called on the Minister and asked him whether he would undertake a settlement of the land question. I believe that is a question to which they are sincerely and conscientiously attached. The hon. Member for Dungarvan (Mr. Maguire) applied to me to know when certain Bills which I undertook to draw, would be brought in. He called attention to the case of a priest who had been evicted and deprived of the value of his improvements, made in the faith of a supposed contract, and he asked whether such a grievance could not be remedied. I answered that I thought it could; but I never told any man save the members of the Government, what would be the provisions of the measures I should propose. The Irish independent party did not say, "Before we vote, tell us what you can do for us." That independent party have never asked directly or indirectly for a place, and they have never received it. The hon. Gentleman, (the Member for Dungarvan), refused to be a magistrate of the town which he represents; which I think was an absurd decision, because a Roman Catholic has a right to be a magistrate as much as a Protestant. Mr. Fagan, who is now no more, called the attention of my noble Friend the Chief Secretary to the Lord Lieutenant, to the investigation into the University of Dublin, and said that all the recommendations had not been carried out, because no new scholarships had been founded to which Roman Catholics might be admitted. My noble Friend undertook the settlement of that question, and the heads of the University in a spirit of true liberality, did found fourteen additional scholarships, which were thrown open to members of the Roman Catholic religion. I am not ashamed to have approved of that measure. I repudiate an uncharitable policy. If the Roman Catholics prefer to come to the ancient University which I represent they will be heartily welcome; they will meet with no insult, no discourtesy; they will inform their minds by the study of the noble works of antiquity, and will enter public life better prepared for the duties which they have to discharge. Such has been our conduct with reference to Irish measures; and if the people of Ireland are contented with them, that is the highest praise which the Government can receive. The hon. and learned Member for Cork (Mr. Serjeant Deasy) very feelingly objected to two appointments—those of the Chancellor and the Attorney General. That was very natural. He thinks that those officers might be changed with advantage, and he possesses both the abilities and the inclination to undertake the duties of my office. I have been asked what the criminal code was to be. A measure has been prepared establishing the same criminal statute law for England and Ireland, and it is ready to be laid on the table of the House. The conspiracy to murder question and others of importance are dealt with in that measure, which, while it reduces the cases in which offences are to be punished by death, simplifies and consolidates the law; thus accomplishing that which, under the administration of the noble Viscount, was never effected. Was it, then, worthy of the right hon. Baronet,—is it worthy of eminent men in this country—to try to raise against us the religious question in Ireland? We have not compromised our faith or our religion. We hold both sacred, but we have learned to think we can maintain both with perfect sincerity and consistency, with charity and justice to all classes of our fellow-countrymen ; and I am of opinion that the people of Ireland will, when they are once satisfied of that, be as willing to give their confidence to the Protestant gentry of that country as to any other set of politicians. Never forget the Income-tax. Never forget the conduct of the right hon. Gentleman the Member for Wells (Sir W. Hayter), who, immediately before the debate on the budget of 1852, penned up a small number of Irish Members in a corner, and told them that they might be sure the Income-tax would never be extended to Ireland. They rejected the budget of Lord Derby, they destroyed the Government, and they got in return the income-tax and a personal explanation. Recollect that when you give your votes, and do justice to the present Government. Sir Robert Peel, when about to be condemned according to the principles of Radamanthus, who punished first and inquired afterwards, once said in this House :—

> "I call upon you not to condemn before you have heard, to receive at least the measures I shall propose, to amend them if they are defective, to extend them if they shall fall short of your expectations ; but at least to give me the opportunity of presenting them, that you yourselves may consider and dispose of them."

I ask the House, is it just upon the invitation of the two noble Lords who have now composed their differences to destroy the Ministry before their measures have been heard ? And to do it, why ? Observe the fair and manly argument of the hon. Member for Birmingham—how unlike the speech of the right hon. Baronet ! That hon. Gentleman said, "I do not object to the dissolution. I do not object to your foreign policy. I do not charge you with corruption at the elections, because I have no facts to go upon." On what ground, then, does he quarrel with us ? Upon the one single ground of Parliamentary reform. The hon. Gentleman is about to descend from being the leader of a great party to become the follower or assistant of the noble Lord the Member for Tiverton. The noble Viscount will, no doubt, be very comfortable when he has on one side the right hon. Member for Ashton-under-Lyne (Mr. M. Gibson) and on the other the hon. Member for Birmingham. Biography is a delightful study. The hon. Member for Birmingham is a master at sketching character, and the noble Viscount the Member for Tiverton is not behind him in that art. The hon. Member for Birmingham has sketched the character of the noble Viscount, and the noble Viscount has returned the compliment. The hon. Gentleman said of the noble Lord—

> "I have observed the noble Viscount's conduct ever since I had the honour of a seat in this House, and the noble Viscount will excuse me if I state the reason why I have often opposed him. The reason is, that the noble Viscount treats all these questions, and the House itself, with such a want of seriousness, that it has appeared to me that he has no serious, or sufficiently serious, conviction of the important business that so constantly comes before this House. I judge the noble Viscount as a man who has experience, but who with experience has not gained wisdom; as a man who has age, but who with age has not the gravity of age, and who now, occupying the highest seat of power, has (and I say it with pain) not appeared affected with the due sense of the responsibility that belongs to that elevated position. We are now in the hands of these two noble Lords. They are the authors of the Russian war. It lies between them that peace was not made at Vienna upon some proper terms, and whatever disasters may be in store for this country, or for Europe, they will lie at the doors of these noble Lords."

The noble Viscount has favoured us with his view of the political character of the hon. Member for Birmingham. Speaking of that hon. Gentleman, he said—

> "He (Mr. Bright) asks me to explain the meaning of 'the balance' of power. Now, the hon. Member for Manchester and I differ so much upon almost every question involving great principles, that I am afraid I shall be unable to gratify him by complying with his request to explain the meaning of the expression 'the balance of power.' The hon. Member, however, reduces everything to the question of pounds, shillings, and pence, and I verily believe that if this country were threatened with an immediate invasion likely to end in its conquest, the hon. Member would sit down, take a piece of paper, and would put on one side of the account the contributions which his Government would require from him for the defence of the liberty and independence of the country, and he would put on the other the probable contributions which the general of the invading army might levy upon Manchester ; and if he found that on balancing the account it would be cheaper to be conquered than to be laid under contributions for defence, he would give his vote against going to war for the liberties and independence of the country, rather than bear his share in the expenditure which it would entail."

Now, Sir, I think that a coalition of persons who entertain these agreeable opinions of each other will form a Ministry of which England may be proud. I entertain no doubt that the noble Viscount and the hon. Gentleman will enter upon their duties each with a solemn sense of his responsibility and a firm determination never to yield to anything said by a colleague.

The hon. Member for Birmingham has a great horror of war, but the Members of his philanthropic sect have a peculiar way of making war in their own fashion. I remember hearing a story of a Quaker who, being on board a ship which was attacked by pirates, and finding one of them boarding the vessel, clasped him round the waist and dropped him overboard, saying mildly, "Friend, thou hast no business here." And in justice to the hon. Member for Birmingham I must say that I have no doubt that if an enemy touched our shores, he would be found among our volunteers, and that if he did not fire a rifle he would wield a bludgeon with no little execution. The policy of the hon. Member is one of neutrality, but his neutrality means a general disarmament of the country. He says that he will vote for the noble Viscount because there is no danger from Austria or Sardinia; he has no suspicion of any other country, and the best way to show that we have no suspicion is to break up our army, dispose of our ships, and disband our sailors. Is that the policy of the noble Viscount? Why, there is not a more bellicose Minister than he. He would not allow the honour of England to be invaded, nor her soil desecrated by the foot of an enemy. The policy of the noble Viscount and that of the hon. Member for Birmingham are wide as the poles asunder. Why, then, does the hon. Member support the noble Lord? He says to the present Government, "I know very well that I cannot gain my objects through you; I never shall be able to carry out my views while you are in power, and therefore I am determined that you shall change places with the noble Lord." The hon. Gentleman in effect says, I will make the noble Lord the Member for Tiverton Minister, in order that I may squeeze what I can out of him. When I have done that, then, like Warwick, I will kill him and go on breaking up Ministry after Ministry, until I have accomplished that which is the darling object of my life. Now, that is a clear and intelligible policy, and it is manfully avowed. I cannot help congratulating the hon. Gentleman, as well as the right hon. Member for Ashton and the right hon. Gentleman the Member for Wilts, who signed the requisition convening the meeting which took place at Willis's Rooms, on the prospect of the entire unanimity of feeling which is likely to pervade the Government of which they are to be members, and upon the circumstance, that while they are prepared to agree on matters of principle, they are perfectly ready to set aside mere matters of detail; such, for instance, as the ballot. The speech which was made on that question by the late Attorney General in the course of last Session must no doubt have been very flattering to the feelings of the noble Viscount, in whose Administration he served, while he must have been equally flattered to find that his own remarks upon the same occasion where characterized by one of the stanchest of his adherents (Mr. Berkeley) as "complete rubbish." For my own part, I have read with no little regret certain statements which have been made as to the constitution of that future Administration which the noble Viscount appears so anxious to construct. I have seen placarded the names of more than one hon. and right hon. Gentleman, Members of the Liberal party, who, it is said, are to be consigned to political extinction. The noble Viscount, it seems, is about to take, not a cordial, but, it is to be hoped, a respectful farewell of his old friends, and to find his new colleagues below the gangway. That is not a course which is likely to enlist the sympathies of a united party, such as that to which I have the honour to belong. We have stood by one another in the conflict, and we certainly should not dream of placarding the names of those Gentlemen in our ranks who had always been true to their leaders, or saying to them a new Ministry must be formed by the sacrifice of the most respectable members of the old. But, perhaps, it is somewhat presumptuous in me to advert to a subject of this delicate nature. I shall content myself with saying further that the question upon which you are called upon to decide by the noble Mover of the Amendment under discussion is whether, as matters stand, the existing Administration is entitled to your confidence. With respect to the answer which you will return to that question I have come to a different conclusion from that at which the noble Viscount opposite seems to have arrived. I confidently anticipate that your verdict will be pronounced in favour of the Government.

Mr. MILNER GIBSON moved the adjournment of the debate.

The debate was then *further adjourned* till *To-morrow.*

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, June 10, 1859.

MINUTES.] *Took the Oath.*—Several Lords.
PUBLIC BILLS.—1ª Sale of Gas.
2ª Vexatious Indictments; Debtor and Creditor; The Companies (1859); Lâw of Property and Trustees Relief Amendment.

THE MILITIA.—QUESTION.

LORD AVELAND asked the Under-Secretary of War whether any and what steps had been taken to afford instruction in musketry practice, and in the use of the rifle to the staffs of the disembodied militia regiments, so that they might be competent to teach their men; and whether any Enfield rifles had been issued to them or to the regiments of militia ordered for training?

LORD ROSSLYN said, that his noble Friend at the head of the War Department had conferred with the General Commanding-in-Chief, and arrangements had been made to send a portion of the permanent staffs of the disembodied militia regiments to Hythe for instruction in rifle practice. No Enfield rifles had been issued to the disembodied militia regiments, but some had been already issued to the embodied regiments, and it was intended to issue more from time to time, as the men should be reported to have become proficient in the use of the weapon.

ENDOWED SCHOOLS.

OBSERVATIONS.

LORD BROUGHAM said, that he had on the previous evening *presented* eight petitions, praying for an Amendment in the law relating to the trustees of endowed schools. In consequence of the conflicting legal opinions with reference to the eligibility of Dissenters to serve as trustees, there had for a long time been constant litigation in places where those schools existed. In one case no less than between £4,000 and £5,000 had been spent in law costs. He had given notice of his intention to bring in a Bill to amend the law with reference to these schools; but he understood that one having that object was about to be introduced in "another place" by an hon. and learned Friend of his, and believing that the question was in safe hands, he should await the progress of his hon. and learned Friend's measure.

VEXATIOUS INDICTMENTS BILL.

SECOND READING.

Order for Second Reading read.

LORD CAMPBELL moved that the Bill be now read 2ª. The present Bill was, word for word, the same with that he had introduced in the last Parliament, and which had passed through all its stages in their Lordships' House without a division. It was sent down to the other House, where his hon. and learned Friend the Attorney General had consented to take charge of it, concurring in all its provisions.

LORD WENSLEYDALE said, he still entertained the same objection to the Bill which he expressed last Session—namely, that it would interfere with the privilege which every subject of the realm possessed to put the criminal law in motion.

LORD LYNDHURST said, that he was very much inclined to take the same view of the measure as his noble and learned Friend (Lord Wensleydale), but as it had in the last Session passed through all its stages without a division he thought they ought not now to oppose the second reading. As, however, the Bill had been read a first time only on the previous evening, he thought he was moving the second reading at a very early period. He presumed that his noble and learned Friend was anxious to have all the credit which might attach to the author of a good Bill, and was therefore afraid lest anything might interfere to take this measure out of his hands. Perhaps, too, his noble and learned Friend was anticipating an elevation from his present to a still higher judicial position. Should his anticipations prove well-founded, he (Lord Lyndhurst) was sure that his noble and learned Friend would discharge the duties of his future position with as much ability as that which had characterized the performance of his previous judicial functions.

LORD CAMPBELL said, he could assure his noble Friend opposite that it was his noble and learned Friend the Lord Chancellor, (and long might that noble and learned Lord be Lord Chancellor), who had suggested to him to move the second reading that evening.

THE LORD CHANCELLOR said, he would, in the first place, thank his noble and learned Friend (Lord Campbell) for his kind wish, which he was sure was a sincere one. It was quite true, that when his noble and learned Friend had named a more distant period for the second reading, he (the Lord Chancellor) suggested that as it was a measure which had been already discussed by their Lordships, there would probably be no objection to reading it a second time that day in order that it might be passed through their Lordships' House as quickly as possible. As to the objections which had been urged to the Bill, he might state that its object was to prevent a person going before a grand jury and preferring an indictment against a party behind his back and without notice, and then procuring a warrant and getting him arrested with the view only perhaps of extorting money. The Bill, in order to meet this evil, provided that these charges should in the first instance be publicly investigated before a magistrate, and he confessed he could not see in such a provision any interference with the rights and privileges of the subject. He therefore did not apprehend that their Lordships would have any difficulty in giving their assent to the second reading.

Motion *agreed to.* Bill read 2^a

Committee *negatived.*

House adjourned at a quarter before
Six o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Friday, June 10, 1859.

MINUTES.] PUBLIC BILLS.—1° Criminal Justice, Middlesex (Assistant Judge); Fishing Vessels passing the Nore; Galway Harbour and Port Act (1853) Amendment; Adulteration of Food, &c. Prevention.

OPERATIONS IN INDIA.

LETTER OF ACKNOWLEDGMENT FROM MAJOR GENERAL SIR EDWARD LUGARD, K.C.B.

MR. SPEAKER acquainted the House, that he had received from Major General Sir Edward Lugard, K.C.B., a Letter in return to the Thanks of this House, communicated to him in obedience to their commands of the 14th day of April last.

Letter read.

THE ADDRESS IN ANSWER TO HER MAJESTY'S SPEECH.—AMENDMENT.

DEBATE RESUMED. (THIRD NIGHT).

Order read, for resuming adjourned Debate on Amendment proposed to Question [7th June],

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Thanks of this House for Her Majesty's Most Gracious Speech from the Throne: "To, &c. [*see p.* 104].

And which Amendment was, at the end of the Question, to add the words—

"But we beg humbly to submit to Her Majesty, that it is essential for securing satisfactory results to our deliberations, and for facilitating the discharge of Her Majesty's high functions, that Her Majesty's Government should possess the confidence of this House and of the Country and we deem it our duty respectfully to represent to Her Majesty that such confidence is not reposed in the present Advisers of Her Majesty."

Question again proposed, "That those words be there added."

Debate *resumed.*

MR. MILNER GIBSON: Sir, I was inclined to abstain from asking the permission of the House to make any observations on the Motion which is now in your hands, but the allusions that have been made to myself by speakers during this debate, and the desire which, on the whole, I have to state my grounds for the course which I shall feel it my duty to take, have induced me to alter my former intention of not addressing the House. I am one of those who are seldom mixed up in what are called party conflicts, although I quite agree with the statement attributed I believe to the Earl of Derby, that great party divisions are inseparable from a free government, and I feel undoubtedly that there are great occasions when no Member taking any interest in political affairs can be silent, but when all are under the absolute necessity of declaring themselves for one side or the other. It would have been more agreeable for me, I must confess, if we had been called on to discuss some legislative measure, and argue on its merits; it would have been more agreeable to me if I had been called upon to discuss some practical act of the executive Government; but as the question actually before us is the rival claims of two great political parties in this country to political power, I shall not shrink from delivering my opinion on that most important question. I do not propose to imitate the tone of the right hon. and learned Member (Mr. Whiteside) who last addressed us in the debate. I should be incapable, even if I were so disposed, to give utterance to such fervid declamation; but I must say that he was rather unfair to this side of the House, when on the one hand he taunted us with what he was pleased to call our unhappy divisions and dissensions, and in the next moment accused us of a disposition to become again united. I think it is rather hard to please him, and that he ought to be satisfied with the censure which he casts on our divisions; and if there be a tendency—as I believe there is — towards a better understanding, he should rather have made it a matter of congratulation than an additional cause for censure. The difficulty of our situation at this moment is not of our own seeking, on the contrary, I am of opinion, Sir, that the Motion which is now in your hands has been forced on the House. It has been forced on us by the course which was taken by the Executive Government during the last Parliament in dissolving that Parliament on a pure question of political confidence in the present advisers of the Crown. I therefore do not feel as if I were an attacking party, but merely in the position of one taking up a challenge which had been thrown down and which cannot be avoided. Indeed, the first intimation that I had that there would be an Amendment on the Address was from a circular which I saw mentioned in the public papers as being issued by Her Majesty's Ministers, and in which they stated their conviction that from the course they had taken, an Amendment on the Address was an inevitable result, and that there would be a discussion on that issue on the first meeting of the new Parliament. Now, I am not going to travel over the ground which was taken up by the hon. Under Secretary for Foreign Affairs (Mr. Seymour Fitz-Gerald), who made quotations from speeches of mine delivered during the last Session of Parliament; but as the subject has been alluded to, I shall say this, that I have been on various occasions opposed to the foreign policy of the noble Lord the Member for Tiverton, that I have expressed my opinion on that foreign policy frequently, and in reference to those subjects on which I then expressed my opinion, I have not changed it, but adhere exactly to the views which I took at the time that I expressed them. I was once invited by my hon. and learned Friend the Member for Sheffield to pass a very strongly worded eulogy on the policy of the noble Lord with reference to Greece, but I declined, and voted with hon. Gentlemen opposite in condemnation of the noble Lord's policy. I seconded the Motion of my hon. Friend the then Member for the West Riding in reference to China, and I do not regret the course which I then took. I believed at the time I was acting in accordance with sound policy, and my opinion has been fully justified by subsequent events. With regard to the Conspiracy Bill, I was actuatad by two feelings, one to get rid of the Bill, and the other, to express an opinion on the circumstances under which it had been introduced. The views which I then entertained were acceptable to the House, and the fall of the Ministry was an inevitable accident on carrying that Motion; but the sole object of hon. Members—at least the main portion of them—in voting for it was to get rid of the Bill, and to save the country from what they believed to be a humiliation. Well, but even supposing there be something in these allusions to former opinions, I want to know what relation they have to the subject before the House. Whether any hon. Member was right or wrong in his views respecting the foreign policy of the noble Lord the Member for Tiverton, will not enable him to come to a decision as to whether he should vote for confidence or want of confidence in a great political party at the present time; for, recollect, we cannot separate political men from their leaders. We may admire political men, and believe that they would do good if they could; but we must look to the political party, which has its agencies throughout the length and breadth of the land, and pass an opinion whether, as a whole, their rule is the best for the interest and happiness of the country. We are told by the right hon. Gentleman the Chancellor of the Exchequer that the dissolution was a necessity, because he could not carry his measures. "True, our measures," said the right hon. Gentleman, "were not successful, and this was not surprising, when they were brought forward in a Parliament of which only one-third were our supporters. I do not think any measures, however carefully matured, however happily adapted to the circumstances they were intended to meet, could have been successful in a Parliament so constituted. We knew that our measures could not be carried, and that was a just reason for appealing to the country." But Parliament then dissolved contained a larger Liberal element than it does at present. The object of the dissolution was then to increase the Conservative element, and how could the passage of Liberal measures be helped by making the Parliament more Conservative than before? I considered that the object of those who advised the dissolution —I don't blame them for it—was, as it were, to crush the existence of the Liberal party, inasfar as it was in their power to do so. Well, such being the object of the dissolution, how can we believe that, as Liberals, we should be justified before the country and our constituents in voting political confidence in a Government which had thus acted? I have heard one or two hon. Gentlemen on this side of the House say, they think Liberal measures would be best promoted by maintaining for some time longer the present Government in power. They believe conscientiously that such would be the effect of maintaining a Conservative Government in power, and no doubt they have satisfied their consciences as to the course they take, but I cannot understand by what course of reasoning they bring themselves to that conclusion. There is the hon. Member for Sunderland (Mr. Lindsay). I have heard a rumour that he is about to vote confidence, political confidence in Her Majesty's present Government and their followers. Now, I am one of those who were first to congratulate the hon. Member for Sunderland on his return to Parliament. I congratulated him on having defeated Mr. Hudson; I congratulated him because I thought he would be a very useful Member of this House, from his great experience in mercantile affairs, and in matters connected with the shipping interest. I also congratulated him because I believed him to have a sincere desire to promote the cause of Reform and peace. While my hon. Friend's election was going on, I read the accounts of it with some interest, and one, a paragraph in the *Times*, I shall take leave to read to the House:—

> "Mr. Lindsay addressed an immense meeting in Sunderland on Monday night. The Tories have been somewhat lavish in their expenditure, and it was broadly stated at the meeting that Mr. Hudson was being supplied from the Carlton Club."

I think that having congratulated my hon. Friend on his return I have a right to be surprised that having defeated Mr. Hudson, he is about to vote just as Mr. Hudson would have done had he been elected. My hon. Friend will hardly think it quite fair that those who supported him with such enthusiasm, on questions in which he may be sure they take the deepest interest, should now see him give a vote at variance with the principles on behalf of which so great a battle had been fought and won. I am not going to charge the Government or any party in this House with being peculiarly prone to corruption —I am afraid that the charge would not apply particularly to any section, and I agree with my hon. Friend the Member for Birmingham (Mr. Bright) that all parties have occasionally forgotten themselves at election time. But there is one point which I think is remarkable in the present election, and to which I think all friends of freedom should direct their attention—I mean the direct use of the power of the Executive for the purpose of procuring by inducement or intimidation the return of certain Members to Parliament. The right hon. Member for Carlisle alluded to several cases of that sort, but there was one which it seemed to me he passed by, but to which my attention has been called more than once by statements appearing in the newspapers, and by communications addressed to myself. The case I allude to is that of Berwick, the hon. Member for which borough is in the House, and he will set me right if I am wrong. I make no assertion, but I ask explanations respecting statements which ought to be contradicted or explained. The case of the Berwick election is a remarkable one, and there was a great feeling respecting it; but the right hon. Member for Carlisle put it aside on the ground that there was a Committee of inquiry into the Berwick election, when the whole subject would be investigated. That would be a complete excuse for passing this particular case if the matter in hand was to be examined by the Committee; but on reference to the Petition it would be found that the matter cannot be inquired into, because it is not amongst the allegations of the Petition. But it is on public grounds that I allude to the question. Recollect that there may be good reasons why no persons in Berwick would think it worth while to inquire into the use of Government influence, because Government might be going to do something for the town, and therefore all parties in the town might be unwilling to interfere. There has been for some time a desire to re-establish in Berwick the barracks which had fallen into disuse. Applications had been repeatedly made to Lord Panmure and the authorities to re-establish those barracks and to place troops in them, and those applications had been uniformly refused on professional grounds into which I need not enter. I have doubts whether even the Earl of Derby's Government did not refuse, but there were particular parties who were desirous of making political capital out of the statement that they had succeeded with the Government, and had succeeded in obtaining this advantage for the town. In a newspaper published I find this statement, which I think requires explanation. I hope the hon. Member for Berwick will be able to contradict it. Mind, this publication came out three days before the nomination, and being a subject of remarkable interest to the people of Berwick was eagerly read.

> "We learn with great satisfaction that the long struggle to vindicate the claims of the town as a military station has been brought to a successful issue. We derive this satisfactory information from a private letter which we had the privilege of reading, addressed from the highest authority to a gentleman who takes a deep interest in the question, and whose connection with Berwick will be of great advantage, should they assume the character we anticipate. We have reason to believe that the military authorities, fortified by the report of their surveyors, are about to make arrangements for the repair of the barracks, in order that they may be soon re-occupied by Her Majesty's troops."

Now, Sir, since the election was over there has been a rumour that the work was not going to be done, but the circulation of what was called a private letter from a high authority must have had great influence on the voters. There have been many cases of such use of the Executive power brought under my notice and which I could mention. However, I will not detain the House by so doing, but as the right hon. Member for Carlisle did not dwell on this matter, and as the right hon. the Chancellor of the Exchequer passed it over, it appears to me to be one of those that should be explained, for if there is one thing of which Parliament should be especially jealous, it is the direct interference of the Executive Government of the day in procuring the return of particular candidates for boroughs. I think I should fail in my duty as an independent Member of Parliament did I not enter my protest against the influence of Government in elections, whether it be Conservative or Liberal. I hope that the Minister for War will tell us in the course of this debate whether it is his intention to place a supplementary Estimate on the Votes for the establishment of the barracks at Berwick. [General PEEL: It is not.] Then will the hon. Member for Berwick say whether this is true or not? It appears in this paper, ["Order!"]—it appears here that a letter was received in Berwick and publicly circulated or made known—for I find it noticed in the public papers — stating that such a promise of barracks had been made three days before the nomination. ["No, no!"] If I am wrong, the hon. Gentleman will have the opportunity of setting me right. It is quite obvious that I cannot be in a position of making any assertion of my own knowledge relative to this matter; but I do say that when a respectable paper, the hon. Gentleman's own paper, *The Berwick Warder*—when the editor of that paper states that he has himself had an opportunity of seeing a letter from the highest authority in this country promising that such barracks shall be given to the people of Berwick, it is important, for the justification of the Executive Government, that that charge of the Berwick editor should be contradicted or explained. An hon. Friend of mine seems to suspect that independent Members, situated as I am, might, in reference to this Motion, be drawn into some purely party division which they might not be able altogether to defend. I will endeavour to defend, so far as appears to my judgment reasonable, the course which I shall take in voting for this Amendment. When the Earl of Derby first came into power, in 1852, he stated that one of the missions of his Government was "to stem the tide of democracy." Subsequently, the Government of the Earl of Derby announced an intention of entertaining the question of Parliamentary Reform, and they went the length of submitting a Bill to the House which the House pronounced to be not a measure calculated to promote a freer and broader representation of the people, but rather to be of a retrograde character. Amongst others, I was of that opinion, and it appeared to me but natural, seeing that it was the professed creed of the great Conservative party to do all they could to arrest and stay the popular desire for Reform, that if they did bring in a Reform Bill, it would be, to use the words of the right hon. Gentleman, of so "mitigated and moderate a character," that it would confer no power upon those classes that it was the wish of the Reformers to enfranchise and to give political power to. Therefore I thought the Bill of the Government was consistent, to a great extent, with the professed creed of the general Conservative party. But it was introduced no doubt with different professions by the leader of this House, and even now the right hon. Gentleman assures us that if we, the Reformers, will only trust him once more, and will allow the question of Reform to remain in his hands without suspicion, he will try again and really introduce a liberal, a comprehensive, and a conclusive measure of Reform. I must say that I believe I have a very fair share of credulity. I am ready to believe as easily and as much as most men, but I am rather afraid that my expectations would be disappointed were I to suppose that the party opposite, whose views must necessarily influence the right hon. Gentleman, would allow him, even if he desired to do so, to bring in and to pass a liberal, a comprehensive, and a conclusive measure of Reform. I have the honour of being a constituent of the Attorney General's, and I find that that hon. and learned Gentleman told the electors of East Suffolk at the last election, something very different to what the Chancellor of the Exchequer would lead us to expect. The hon. and learned Gentleman in some degree reiterated the statements of the Earl of Derby—that a Conservative Government was necessary for the purpose of arresting the progress of democracy, which democracy is now represented by an alleged combination between the noble lord the Member for London and my hon. Friend the Member for Birmingham. Now, what did the hon. and learned Gentleman say to the electors of East Suffolk, of whom I am one, with a view to influence me in my support? In his speech to the electors at Ipswich, on the 26th of April, he said that he felt convinced that notwithstanding the lapse of twenty-seven years since the passing of the Reform Bill a further Reform in the representation of the people was not really and truly called for, either by the public voice or the public opinion of the country. Well, then, if be it not be called for by the public voice or by the public opinion of the country, the right hon. Gentleman would not be justified in attempting to pass a liberal, a comprehensive, and conclusive measure of Reform, even if he were willing to do so. I do not think it reasonable to expect any real and satisfactory measure of Reform from that party whose professed creed for years had been hostile to Reform; and I cannot but demur to the idea that we on this side of the House are to be induced to take the formidable step of voting against the great body of our co-operators as a political party upon the vague assertion of the right hon. Gentleman that at some time or other he will be willing to undertake to introduce and to pass this liberal, comprehensive, and conclusive measure. To come to me as one who desires Reform, and ask me to vote confidence in you as Reformers, because you tell me that at some future time you will bring in a liberal measure of Reform, is trifling with the foundations of our Parliamentary system. The fact is that the right hon. Gentleman and his Friends opposite can only deal with the question in the spirit we want it dealt with, by a deliberate betrayal of the promises they have made to the great bulk of the electors who supported them at the late election. Upon the ground, therefore, of Parliamentary Reform, I cannot vote confidence in Her Majesty's present Administration. How can I vote confidence in them on the question of religious equality and freedom of conscience? What did we witness in the last Parliament? My hon. and learned Friend brought forward a Motion for altering the Roman Catholic Oath in conformity with the religious convictions of the Roman Catholics of this country, and who was the violent opponent of that Motion? The Attorney General for Ireland. That right hon. and learned Gentleman led the van, and I say that, notwithstanding all that has been said about the Roman Catholics having a desire at this moment to support the Administration, that on reflection they will see that the liberty of religion to our Roman Catholic fellow-subjects is more likely to be effectually promoted by the Liberal party, who had uniformly and consistently advocated religious freedom, than by the right hon. Gentlemen opposite. And I would further recommend Irish Gentlemen, that if they believe that there is this sudden desire to do justice to the Roman Catholics come over Her Majesty's Ministers, to lose no time in going up with a deputation to the Attorney General for Ireland, and ascertaining from him whether he still retains the opinions he professed in the last Parliament, or is willing to make those alterations in the Oaths which their conciences require. For myself, I am very much afraid that when this division is over, the Roman Catholic Members will find but little encouragement from Her Majesty's Government—though I would not say so much if they had taken the opportunity of an earlier application; but although hopes might have been held out and expectations encouraged, I think it is impossible from the political connection over the length and breadth of the land which supports the present Administration —I think it is impossible for them to do full justice to the consciences of our Roman Catholic fellow subjects. They have always been the first to avail themselves of the no-popery cry. We know by experience in this House—for we have listened to the painful attacks which have from time to time been directed against the convictions of Roman Catholics, and which have been sympathized with by the great body of the Conservative party—what we have to expect from that party in the direction of religious liberty. These are Parliamentary grounds, as it appears to me, for voting for the Amendment. We must view these things in a Parliamentary and constitutional sense. We must get rid of mere personal feeling on a great occasion like this; when the Crown has called upon the parties in this estate to declare their political predilections, their political obligations, and their political allegiance, personal feeling must be put aside; and every man ought, if he does justice to himself and to his political friends in the country, to record his vote in favour of that political party to which he is prepared to give his allegiance, and with whom his political convictions sympathize. Now, with regard to another important question—the question of neutrality. I am not one of those who are disposed to charge the Government with a direct desire to support by patent acts either side in the war now going on in Italy; but I hold the opinion which is universally entertained, I believe, throughout Europe, that the Government of this country at this moment have at least Austrian sympathies. It may be said that there is not much in mere sympathy, but I am not quite sure, when Ministers of State rise in their places in parliament to express opinions bearing upon the alleged rights and feelings of any one of the belligerents, I am not quite sure whether sympathies so expressed can be promulgated without, to a certain extent, involving this country—I will not say hostilely—but by creating a feeling that it is more favourable to the one side than to the other. The Earl of Derby some time ago said in "another place" that the grievances of the Italian subjects of Austria were mere sentimental grievances, and the Earl of Malmesbury, in the other place, laid great stress on the treaties of Vienna, and stated that those treaties had been signed by the Sovereign, or the representatives of the Sovereign in former times, and that the Government of this country would therefore be bound to uphold and maintain them. That speech of the Earl of Malmesbury was followed by another speech of the Earl of Derby, in which he hinted that perhaps this war was not conducted or undertaken with a desire to ameliorate the condition of the Italian subjects of Austria, but that there were ambitious views behind. Is it the business of the chief of the Executive of this country to be uttering opinions in Parliament which shall be offensive at least to one side that is engaged in this war? There may be nothing in what I say, but it does appear to me that there has been in this country something which rather brings into question the idea that there is that honest neutrality — that neutrality which will not make an enemy on either side—carried on, not only by the acts but by the counsel given to foreign nations by Her Majesty's Government. I hold that the French alliance—I do not say treaty alliances—but I hold that friendly relations and a good understanding with France are of all things most important to the happiness and welfare of this country. I therefore am one of those who regret to see a display at this time of alarm and suspicion without a single fact on which you can put your finger in justification of such alarm; and I do also deeply regret the custom that has prevailed of late of putting an unfavourable construction on everything that is undertaken in reference to those affairs by the French Government, rather than waiting for the current events and taking the Emperor of the French at his word until he deceives you, but not entering into adverse speculation, which cannot but make friendly relations with France impossible to observe. I think hon. Gentlemen on both sides must agree to this doctrine. I am not, to use the words of the late Sir Robert Peel, a person to put any romantic confidence in any foreign Power; but I am averse to the habit of incessantly finding out imaginary dangers by putting unfavourable constructions on the acts of the French Government without the slightest justification. For myself, I shall undoubtedly await for the production of the papers that have been promised before I undertake to pronounce any opinion as to whether the Government are honestly neutral in this war or not. But when we are promised papers from the Foreign Office, I have had sufficient experience to tell you that we ought not always to be guided in our conclusions by such documents. An honourable friend of mine was invited to enter into some rather awkward negotiations in a borough a little before the last election, but he said, "If this should come out, what will people say?" The reply was—"Oh, never mind, I will write you a letter that you can show, which will make it all right." ["Name, name."] I am not making a charge against any one and therefore I am not bound to mention the name. I am afraid that when reviewing our foreign diplomacy we must not, in forming an opinion of the views of the Government, be content to be guided altogether by the information that is to be obtained from diplomatic documents which Ministers of State may think fit to lay before a popular assembly like the House of Commons. I should of course be departing from what I believed to be the wish of the House if I were to travel over the ground that has been trodden over by the Government during these negotiations with France, Austria, and Sardinia. I will await the production of the papers, and although I am not without some slight alarm, yet, as we have the solemn assurance of the Government that they desire to be neutral in the war, I will let the matter rest there for the present, and I hope we shall be able to devote our attention to domestic legislation—the reform of our social system and the various improvements that are pressing on our consideration, and that we may not by some unfortunate intervention have the whole attention of the country directed once more to the most unfortunate thing that could happen—a continental war, in which we were ourselves engaged. The only question now before us is whether the present Government have obtained the result for which Parliament was dissolved. We are not called upon now to go back to the discussions that may have prevailed on both sides of the House, but are simply called upon to ascertain by a deliberate vote whether the result which the Earl of Derby desired to accomplish, and for which he dissolved Parliament, has been obtained—whether he has secured by the dissolution that majority of political partisans that will enable him to carry on the Government in a manner creditable to himself—that will give England dignity and power in her relations with foreign countries, and at the same time be satisfactory to the great body of the people of this land? I do not believe, as has been stated, that the division on the noble Lord's (Lord J. Russell's) Motion has had the effect of weakening the hands of the government and depriving them of the power of negotiating successfully to prevent the war that has broken out. It was well known on the Continent long before that division took place that the Government of this country, as had been repeatedly announced by the Earl of Derby himself, was in a great minority in this House. Therefore it was absurd to suppose that the war between France, Sardinia, and Austria was precipitated by the division on the Motion of the noble Lord. But an hon. Friend of mine, the Member for Portsmouth, a gentleman of great authority on the other side, and who seconded the Address (Sir J. Elphinstone), what did he tell his constituents in his speech at the nomination? He said those who had voted for the noble Lord's Resolution were answerable for the present state of Europe, and he believed that had the Government been able to maintain a firm position in the eyes of the European powers we should not have seen the torch of war lighted on the Ticino. The hon. Gentleman must have but a very poor opinion of his constituency in point of intellect if he thought they would believe such statements as this. I do not make it a charge against the Government that they did not prevent the war. I always expected such negotiations would be ineffectual after the conference of Paris. When I recollect what took place there upon the proposal for settling the Italian question, and the remarks that fell from the lips of Count Walewski on the part of France, and Count Cavour on the part of Sardinia, I always felt that there was great danger of war breaking out upon this Italian question, for I believe that it was not possible that Austria would, without war, make the concessions demanded of her. Therefore I do not charge the Government with any feebleness or fault in not having by their negotiations prevented the war. And I am sorry that my hon. Friend the Member for Portsmouth should have made me and others who voted for the noble Lord's (Lord John Russell's) Motion answerable for the war as he did in the speech I have referred to. The war arose from, I may almost say, the necessities of the position from the unfortunate state in which the Italian subjects of Austria were left. It must have been obvious to every man for some time past that the system of government that was carried on by Austria in her Italian dominions could have but one of two ends—war or revolution. I will not stop to dwell upon the curious insinuations and inuendoes in which hon. Members on the other side have indulged about unworthy coalitions and "reconciled sections." I am now speaking my own opinions as a Member of Parliament. I have upon all occasions pursued an independent course; I may have committed errors of judgment; I speak not in any feeling of personal hostility to the party opposite, or to the Government—I merely speak those sentiments which, I believe, I am bound to express as one who is anxious to promote the cause of the Reform party; and I believe that that cause will be best promoted by saying that we have no confidence in Her Majesty's present Administration; and that being my opinion, I shall, without reluctance, give my hearty support to the Amendment.

Mr. LINDSAY said, that as the right hon. Gentleman who had just sat down made reference to him (Mr. Lindsay), and the course he was about to take on the present occasion, perhaps the House would allow him to state the reasons which induced him as an earnest and advanced Reformer—as earnest a Reformer as his right hon. Friend—to take the course which he felt it his duty to take. He had always voted in favour of Reform—he had always voted for progress and for liberty, both civil and religious, and holding those opinions he conscientiously believed that by the vote he was about to give he should best perform his duty to the Liberal constituency by which he had been returned. That was his conscientious belief, and he was sure hon. Gentlemen would respect his motive when he said that it was a high sense of duty as a Reformer that induced him to vote against the Amendment to the Address. His right hon. Friend read a paragraph from *The Times* of a great meeting which he (Mr. Lindsay) addressed, in which his "triumphant return" to that House was referred to as a Reformer, and then asked what would his Liberal constituents think of the vote he was now about to give? Now, it so happened that in some correspondence he had written to a political friend abroad about the question of neutrality, and how it affected British ships—he referred to the state of political parties in this country, and in the paragraph in *The Times* some remarks that he had made in the course of that correspondence appeared. Some extracts from his letter to his friend abroad found their way to the press, had gone down to Sunderland, which he represented, and appeared in a newspaper there. He had those extracts in his box, and it might be interesting to the House if he read the views of the leading Liberal paper upon the subject of this Amendment. The editor of this paper said—

> "The matter before the country now is not one of an abstract character."

The editor of this paper was an advanced Liberal, as thoroughly earnest as his right hon. Friend, and he continued—

> "It is plainly this, whether the present Ministry are to be removed from office without any defined accusation or any sufficient guarantee that their successors will introduce and maintain a policy more conducive to the interests of the country. Two questions claimed prominent attention—reform and peace. It is soon to be seen whether the Derby Administration have profited by their knowledge of a thorough determination on the part of the people to have a real and substantial measure of Reform, and if so, whether they will legislate for the nation rather than for party. They are certainly entitled to have the opportunity of showing whether such a change has taken place. A factious Amendment on the Address should not be countenanced by independent Liberals. As to the great question of peace, if Ministers prove by their acts that they are sincere in their declaration to maintain a strict neutrality, it would be most injudicious at this time to compel a change in the Administration. For these reasons we have no doubt that a large number of earnest and independent Liberals will act in accordance with the views represented by one of our own representatives, Mr. Lindsay, in the following communication."

Then came the extract from the communication to which he had referred, and the words which he wrote, without having any idea that they would find their way to the press; but he was not at all ashamed of their having done so—

> "This century has not produced a worse Government than that which we destroyed on the Conspiracy Bill, and I believe there are a few stern, honest, men in the House of Commons who have no interest but those of their country at heart, and who will resist to the utmost any attempt to reinstate the Whig party in power. If the present Government on the opening of Parliament say that they are prepared to advance with the growing intelligence of the people, and that they will introduce a Reform Bill which will disfranchise a number of the smaller boroughs, and grant to the others a considerable extension of the franchise, and that, further, they will take all the necessary steps to maintain an honest and an honourable neutrality, while prepared to defend the interests of England from attack, I think they need have no reason to dread any hostile conflict with the old Whig party, and all the force that party can bring to bear against them."

These were the views expressed by a leading Liberal of the north of England; they were also his views. The hon. Member for Birmingham was not more earnest for Reform than he was. The right hon. Member sneered; he seemed to think it impossible to get a substantial and satisfactory Reform Bill passed by the present Government. But what party was it that passed all the great measures of progress of which we were so proud? It was the Duke of Wellington's Government that passed Catholic Emancipation; it was the Government of Sir Robert Peel that repealed the Corn Laws, and it was the Earl of Derby's Government that admitted the Jews to Parliament. In the hands of the noble Lord the Member for the City (Lord J. Russell) the Jew Bill was tossed about like a shuttlecock, that House being for twenty-five years the one battledore, and the House of Lords the other. What reason had he to suppose that any Reform Bill brought in by the noble Lord would not undergo a somewhat similar process perhaps for twenty years to come? The present Government had in Her Majesty's Speech pledged themselves to a substantial measure of reform—to "a measure of reform which Her Majesty trusts will be satisfactory to the country." The Chancellor of the Exchequer pledged himself on the part of the Government that he would even this Session, should the House demand it, introduce a Reform Bill which would disfranchise many of the small boroughs, and give a considerable extension of the franchise. That, he believed, was all they wanted on that the Opposition side of the House just then. The hon. Member for Birmingham said, he did not know when the present Government would give them a Reform Bill, but if the Whigs came into office they would introduce one this year. But, did the Whigs really mean that a Reform Bill could be passed this year. Did they mean to say even that that House desired to see a Reform Bill pass this year? Did hon. Gentlemen desire to go back to their constituents instead of going to the grouse-shooting? They knew that if a Whig Government were in office to-morrow they would not even attempt to pass a Reform Bill this year; and therefore the House had reason to expect a Reform Bill as early from the present Government as from any that might succeed it. Besides, he knew that the present Government would be able to pass their Reform Bill through the other House—a thing which the Whigs could not do—and that was a great consideration with him. Before they destroyed the Government they ought to consider whether a better and stronger one was likely to succeed it. That was a great consideration with him, as an earnest Reformer and wishing to settle the question for the well-being of the people and the constitution also. The hon. Member for Birmingham, in his recent speech, referred to the opinions held by a noble Lord, who in the event of a change of government might be sent for by Her Majesty, or who in any Government that might be formed would hold a distinguished place in the cabinet. His hon. Friend said, that "he was not about to defend the conduct of the noble Lord (Viscount Palmerston), or to retract one sentence which he had ever uttered with regard to him. He (Mr. Lindsay) did not know whether his hon. Friend would be a Member of any Government which might be formed; he believed that he wished to retain the independent position he had hitherto occupied, but he believed the right hon. Gentleman who sat next his hon. Friend, and who held the same opinions, was likely to be honoured with a seat in the coalition Cabinet. Let hon. Gentlemen consider whether a cabinet so constituted was likely to be stronger than the present. He need not go back to all that his hon. Friend had said of the noble Lord the Member for Tiverton at different times; he would only go back to last Session to show what were the views which his hon. Friend held with regard to the noble Lord, and as his views were exactly the same as those of the right hon. Gentleman the Member for Ashton, he would then simply ask, how could that right hon. Gentleman and the noble Lord work well together in the same Cabinet? His hon. Friend said, that he expected that he should obtain more reform and was more likely to secure peace from the new Government than from that now in office, and yet only last Session he said, "When the noble Lord came into office he was paraded as a great Reformer." He was so paraded now—but, continued his hon. Friend, "when he left office, he left nothing but confusion abroad, and at home nothing had been done." Did his hon. Friend suppose that more would be done now than then? Did he suppose that one who had occupied the distinguished position of the noble Lord the Member for Tiverton, and had arrived at his age, was likely to change his views now? It was curious enough that his hon. Friend, in the same speech, also referred to the noble Lord the Member for the City of London, who was likewise expected to hold a high position in the new Cabinet, should circumstances render it necessary to form one. "The noble Lord the Member for the City of London, too," said his hon. Friend, "had been Prime Minister, and the leader of the great Whig party, with which, somehow or other, those who were called Radicals had dovetailed"—that was what they were doing now—"but the spoils of the warfare, if such an irreverent word could be permitted, had always fallen to the noble Lord and his immediate friends." What reason had his hon. Friend to suppose that those spoils would not fall to him again, as they had done before? On the subject of our foreign relations, it was necessary that he should remind his hon. Friend that the noble Lord the Member for Tiverton had not been so great a peacemaker as he supposed he was. At the meeting at Willis's Rooms the other day, his hon. Friend having expressed some doubts as to the noble Lord's foreign policy, he (Mr. Lindsay), to his utter amazement, heard the noble Lord say, that even with regard to the question of peace he agreed with his hon. Friend the Member for Birmingham. [Mr. BRIGHT: On this particular question of peace.] His hon. Friend now said that they agreed on this question of peace. If so, the noble Lord must very suddenly have changed his views. Looking back for many years, it would be found that if the noble Lord had not led us into war he had at least not kept us at peace. He (Mr. Lindsay) remembered a British fleet being sent, at the instance of the noble Lord, into the waters of Greece to settle a trumpery debt of £150. He remembered, too, the declaration of war against China, and when an English fleet poured shot and shell into the habitations of an innocent people in order to resent a fancied injury said to have been committed on a miserable lorcha. But what became of the honour of the British flag when the memorable despatch of Count Walewski was allowed to remain unanswered. Who took so conspicuous a part in resenting that insulting despatch as his (Mr. Lindsay's) right hon. Friend the Member for Ashton, who was probably to be a member of the new coalition Cabinet. Reference was made by the right hon. and learned Attorney General for Ireland in the debate of the previous night to the war in Italy in 1848, when the people of Lombardy might have been free, and when the noble Lord had it in his power to make them so. He (Mr. Lindsay) would like to have the question of the learned Attorney General answered, whether it was or was not the case that Austria agreed to evacuate Lombardy, and to grant the people their freedom, and that the noble Lord declined to sanction that arrangement? If that were so, the noble Lord was indirectly, if not directly, to blame to a considerable extent for the fearful war now going on there. For the reasons he (Mr. Lindsay) had stated he considered it his duty, as a calm thinking man, and as an advocate of Reform and peace, to give his vote against the Amendment on which they were to divide that evening. But he should do so for another reason. The question before the House was the Address to Her Majesty in reply to her Speech from the Throne. Now, in the whole course of the debate not a word had been said against the policy propounded in Her Majesty's Speech, and they were asked to agree to an Amendment to that Speech, although they as Liberals entirely agreed with the principles laid down in it. Strict neutrality had been preserved by the Government, and they stated, moreover, that they had done all in their power to preserve peace, and papers had been offered to the House which would prove that they had done so. Not a single hon. Member on that (the Opposition) side ever affected to doubt that. Then as regarded rumours about sympathy with Austria, every effort had failed to show that there was anything but a rumour on that point; and was he to give his vote for destroying a Government not on facts proved, but on the ground of a mere rumour? He should ill represent the gentlemen who had returned him by a large and triumphant majority if he did so. The right hon. Gentleman the Member for Stroud (Mr. Horsman) on the previous evening had made one or two of the most extraordinary statements he ever heard. He said, "Her Majesty informed them that in the differences which had arisen between continental powers her mediatorial efforts in the interests of peace had entirely failed." She told them that war was now raging in Italy, but that her determination was—and in this Her Majesty was loyally supported by all classes of her subjects—that England should remain strictly neutral. But she went on to inform them that she had felt it right in the present state of Europe to add to her naval forces, thereby disclosing an apprehension that circumstances beyond her control might unhappily arise to compel reluctant England to become a belligerent power. All this was well known, but the authoritative announcement was, perhaps, one of the most important which had been made by the Sovereign to Parliament in our day. We had borne a part in negotiations now concluded, and unless Providence averted the calamity we might be entangled in the war. War was raging, and a spark from that conflagration might reach England, and were Her Majesty's Ministers to leave Her Majesty unprotected in circumstances which the right hon. Gentleman said might be quite beyond their control. While he (Mr. Lindsay) was a decided advocate of peace and economy, he was also an advocate, especially at the present time, when war was raging in Europe, for having the defences of the country placed on a sufficient footing not only to protect England, but to vindicate her honour, which was of far more importance to her as a nation, and especially as a commercial nation than his right hon. Friend seemed to imagine. The right hon. Gentleman the Member for Stroud gave another reason why he should vote against the Government. He stated that if the Chancellor of the Exchequer had only appealed to the House against the bringing forward of this Motion, he should have been disposed to have voted against the Amendment. Well, the Chancellor of the Exchequer had no opportunity of doing so, for the Amendment was concocted, and arranged, and agreed upon by the leaders of the different sections of the Liberal party before the right hon. Gentleman was sworn in. The right hon. Gentleman, however, took the earliest opportunity immediately after the Amendment had been moved, to expound his policy in what he (Mr. Lindsay) would call a straightforward and honest speech. And although he did not expressly solicit the forbearance of the House, he said as much when he declared his hope that the House would give the Government a chance of carrying out the Liberal policy which he had propounded. The House, however, would not let him have a chance, for fear that he should bring in a similar Reform Bill to that of last Session. If he did, he (Mr. Lindsay) would vote against it, as he did last Session, for the reasons which the noble Lord the Member for London had embodied in his Resolution were to him unanswerable; but because the Government had erred with respect to that Bill, was that a reason for assuming that they were unable to bring in a Bill which might meet with approval? He confessed he could not see the cogency of the argument. It might as well be said that the noble Lord the Member for London was not fit to bring in a Reform Bill, because the Bill he introduced in 1854 was even more erroneous in principle than the Reform Bill introduced by the Government in the course of last Session. He believed it was the hon. Member for Birmingham who on that occasion showed the House that the Bill of the noble Lord, in attempting to give members to minorities, was unconstitutional and unsound. But would the hon. Gentleman say that he would not trust the noble Lord to bring in another Bill on that account? For the same reason that he would have allowed the noble Lord to bring in another Bill he would allow the Government to do so, especially as they had by the dissolution learnt what were the wishes and feelings of the people with regard to the franchise which they did not know before, and there was every hope that they, like the Duke of Wellington with regard to Catholic Emancipation, and like Sir Robert Peel with regard to the Corn Laws, would have endeavoured to meet the wishes of the people with regard to a Reform Bill, as the time had arrived when all sides of the House felt that the question of reform must be settled without further delay. They would also possess this advantage, that they could pass their measure through the other House of Parliament with a rapidity which it would be impossible for the Whigs to ensure. Under these circumstances, and as no reasons had been stated for giving a vote of no confidence in Her Majesty's present Government, he should certainly feel it his duty to oppose the Amendment.

MR. S. HERBERT: Sir, I am afraid that those persons in this House who take offence at the reconstruction of sections will have found some little comfort in the speech we have just heard. We are not quite unanimous. There is something still to be gained from divisions among the Liberals in this House. I had hoped that I might get through this discussion without the necessity of taking a part in it. I am not fond of discussions upon the merits, not of measures, but of men. Hon. Gentlemen opposite will, I trust, admit that never in our most heated controversies has a single word escaped from me implying any want of respect for the party to which they belong. I have spoken of their great qualities — I have frequently acknowledged them; and if in this case I have a complaint to make it is not directed against the party, but those who lead the party. Now, Sir, before the dissolution the Government challenged the House to an issue on confidence. To this House the Government said, before the dissolution, "We stand upon our merits. We, a minority, seek to carry on the Government with such concessions as we may to the Liberal majority." It was then "measures, not men;" but to the country the cry was reversed,—it was then not measures, but men. Now, the Government having made that challenge, can hardly complain of us for having taken up the gage that they threw down. It was natural that in the Queen's Speech the question should be again asked which was put by Her Majesty in proroguing the late Parliament. Her Majesty then prayed that Providence would so direct the people of this country that such a return might be made as would enable Her Majesty to carry on the affairs of the country by a majority. I apprehend that majority, of course, meant a majority that would support the existing Government. The proposal to us to discuss the question whether or not that majority has been obtained is one in itself not within the scope of debate. That must depend on actual numbers. What those numbers may be I cannot tell. I will not follow the example set on both sides of speaking with the greatest confidence of the success of the party to which one belongs. I have the greatest respect for the gentlemen who are vulgarly and technically called the "whips" on both sides, but I have not that share of credulity which the right hon. Gentleman the Member for Ashton (Mr. M. Gibson) possesses. I must say that I take the accounts of each side with the same degree of credence that I give to the bulletins of contending generals after a battle. Until the event has been shown by a division I will not speculate upon what the result may be. But it is the duty of those who take part in this discussion to show on what grounds they justify asking this question of the House. I agree with the noble Lord the Member for North Lancashire (the Marquess of Hartington), in the very able and promising speech which he delivered in opening this debate, that if the Government have a majority as the result of the dissolution they ought to have the full benefit of it, and that the country ought clearly to understand that they have it. What they want is strength. If they are to remain in, let them have more strength. We have a number on this side sufficient to prevent the Government, if they were so inclined, from embarking upon any very erroneous line of policy. If we, on the other hand, have the majority, it is incumbent upon us to show how we may best use it for the advantage of the country generally. The dissolution was a declaration of war to the knife against the Liberal party. The Government were weary of the position they held in the last Parliament, and I do not wonder at it. They determined to set up for themselves with a majority of their own. It was quite right to do so, if they thought that the result of the dissolution would be that they would obtain a majority. It was quite justifiable, if they felt confident that their measures had been good and had been thwarted by a factious opposition, to make an appeal to the country in order to see whether the excellence of their measures was so recognized that the country would determine that their measures should be carried, and would give them a large majority to insure their success. I do not know that either of those justifications can be pleaded for the dissolution. It may be that the Government thought they were going to obtain a large majority, but miscalculations were made, and they found themselves with perhaps thirty more friends in this House, and about ninety or 100 more enemies, than in the last Parliament. Had they the other reason, that they were satisfied of the excellence of their measures? The Chancellor of the Exchequer said they had no chance of carrying their measures, however good they were, because they were only one third of the House. Did the Earl of Derby feel that confidence in the excellence of those measures that he could stand or fall by them? The last great measure was the Reform Bill, and what did the Earl of Derby say in his last speech about it?—"that the course adopted by the House of Commons upon the Motion of the noble Lord the Member for London had this effect;"—and here I must say never were Resolutions framed by man which seemed to have such extraordinary effect as those of the noble Lord. We have been told that this Resolution lost the Government the confidence of foreign Governments, and yet we know that at their bidding the Austrian Government suspended a movement which it had threatened, and to which it was pledged. Well, what was the effect of the noble Lord's Resolution upon the question of Reform?

> "That no single Member of that House who may be unconnected witn office will be by his vote pledged to one single provision of that measure."

That is the most extraordinary statement I ever read — the effect of a Resolution condemning a particular measure is to absolve all those who have at any time approved any part of that measure from all responsibility for, or connection with, their previous opinions. It is not confined to gentlemen in office, for we find that they absolved their followers from the hopeless task of defending the measure upon the hustings. If, then, the Government had no confidence in their chance of obtaining a majority, no confidence in the goodness of their measures, what was the object of the dissolution? Just let me read a sentence upon that point, and I can't do better than quote the words of the Chancellor of the Exchequer, who, upon a similar occasion, said,—

> "What then is the real object? To waste a year. . . His scheme of conduct is so devoid of all political principle that, when forced to appeal to the people, his only claim to their confidence is his name. Such arts and resources may suit the despotic ruler of a continental state, exhausted by revolutions, but they do not become a British Minister, governing a country, proud, free, and progressive, animated by glorious traditions, and aspiring to future excellence."

Well, what was there for this dissolution but a name. There was no vindication of past measures. The noble Lord's Resolution had relieved them from that. Well then was there any promise of future measures. There are some hon. Gentlemen tolerably confident of what will be done, and I must say I never knew a Minister make a statement of political views so void of everything objectionable, for he promised everything they wished to every party in the House. Let me read what the Chancellor of the Exchequer said the other night. "Our resistance to the noble Lord's Motion and our objection to lowering the borough franchise were," said the right hon. Gentleman, "mere matters of detail, not of principle," and then he went on to say,—

> "The question of the borough franchise must be dealt with, and it must be dealt with with reference to the introduction of the working classes. We admit that that has been the opinion of Parliament, and that it has been the opinion of the country, as shown by the gentlemen who have been returned to this House. We cannot be blind to that result. We do not wish to be blind to it. We have no prejudice against the proposition."

Why that proposition was the whole question that we had been debating. It was the very point at issue. Details indeed! Do we not recollect the speech made by the right hon. Baronet the Secretary for the Colonies (Sir E. B. Lytton), whom I regret not to perceive now in his place; or rather, at whose absence I rejoice, because he has not heard the principles which he so eloquently enforced tossed to the winds by the right hon. Gentleman? He said that a lowering of the borough franchise was to postpone education and knowledge to ignorance and brutality. We were assured that there was great virtue in a £10 house—that ignorance, dark and crass ignorance, was the normal state of all who lived in a house of less than £10 value—and that to admit such persons to the exercise of the franchise would be destructive to the constitution. But now we are told they have no prejudice against the proposition. They go on to say, "all we want is to minister to the public necessities," that is to the necessities of the Government representing the public; but they add cautiously, "provided the measures we introduce are deserving of public approbation." Those are certainly wider concessions than ever were heard before from any Ministers in this House. They say—"You wanted reform. We offered you reform compatible with our principles. You did not accept it. Now we will offer you reform that is not compatible with our principles." "We are general merchants." "We have samples of every article." "We have been reading about political economy, and we know where there is a demand there must be a supply." I confess when I am asked to give my confidence to the Government, I am at a loss to know what it is I am to confide to them. The hon. Member for Sunderland (Mr. Lindsay) is captivated by the promises of the Government. He says he is as ardent a reformer as the hon. Member for Birmingham, and goes as far as that hon. Gentleman; he knows where to go for the reform which he desires, and he says, "The Government have the House of Lords with them, who will pass any measures which they may support, and they will carry a Reform Bill that will satisfy me." Certainly the measures which the right hon. Gentleman did propose in the last Parliament, besides the Reform Bill, did not inspire me with such confidence. The India Bill we know was disposed of by a resolution of my noble Friend, which was not then considered to be factious or improper, and support was obtained from hon. Gentlemen usually sitting behind me who are now spoken of with great acrimony, but to whom at that time confidential despatches were shown, and whose support was not then deemed to be so destructive to the character of those who received it as appears to be the opinion now. The Jew Bill was quoted by the hon. Member for Sunderland (Mr. Lindsay), but how was the emancipation of the Jews carried out? I remember in the debates which we had from year to year upon that subject there was one argument consistently put forth, that there was an exception in the case of the Jews which did not apply to other religious persuasions—that there was about them a kind of miraculous nationality which no residence could change. I maintained then, as I have always, that according to the principles of religious liberty in this House no clerk at that table ought to ask any gentleman who takes the oath what particular creed he professes. There might be a special difficulty about the Jews, but they have been admitted here in such a manner that the objection still remains, and is a standing cause of acrimony. The Government have not taken a broad and intelligible principle, but reversing the maxim of *de minimis non curat lex*, they have legislated in that spirit for the case of the Jews. They said that to admit the Jews would be a blow to Christianity in this House, and yet in the face of that statement, when they got into office, without any great political necessity they did the very thing which they said would be so destructive to Christianity. Can they wonder then that there are men in this House and out of it who begin to question the grounds upon which they have acted. But then they say if we failed with our Reform Bill it was not a question of principle, and others have failed too—the noble Lord the Member for London himself. No doubt the noble Lord introduced a Bill in 1854; but, although he failed to pass it, it was not rejected. To this day the House has not passed any opinion upon that Bill. [Sir J. PAKINGTON: Our Bill was not rejected.] The noble Lord the Member for the City of London, when he led this House in the Government of the Earl of Aberdeen, brought in a Reform Bill. Was that Bill rejected? It was the universal feeling of the House that no question of Reform could be entertained when the war with Russia broke out. But the hon. Member for Sunderland says the principle of the noble Lord's Bill was that minorities should be represented, and that that principle was condemned. Why, that Bill was the foundation of a great portion of the late Bill of the Government. The measure of the Government proposed a £10 franchise in counties, and I hope I am not doing injustice to the hon. Member for East Surrey (Mr. L. King) if I say that the Government may have copied this proposition from his Bill. He has a perfect right to that portion of the Bill. Indeed, the day after the right hon. Chancellor of the Exchequer, in a very masterly speech, explained the provisions of the Reform Bill—upon which day we heard with great sorrow that two of the most influential and respected members of the Government had seceded from it—so general was the idea that the Bill belonged to the hon. Member for East Surrey that the Court newsman spent the whole day opposite the hon. Gentleman's door, expecting him to be sent for to assist the Chancellor of the Exchequer in carrying the measure. The noble Lord's Bill proposed the lowering of the borough franchise. That subject was steadily avoided by the Government in their late Bill, because they thought it impossible on principle to lower the borough franchise, but they proposed what have been called "fancy franchises." Now, however, there seems a chance of their agreeing to a proposition very similar to that contained in the Bill of the noble Lord as the speech of the right hon. Gentleman has given us an indication that we are to expect no opposition to a safe and moderate lowering of the franchise. It must, however, be remembered that my noble Friend the Member for the City of London was a Reformer. I do not quarrel, however, with the Government for undertaking in the late Parliament to deal with the question of Reform. As the noble Member for Tiverton said, they took the horse with its engagements, and they knew what they were bound to do. They came to this House, consisting of a majority of Liberals, who, although they could not agree among themselves to form a Government, would, it was clear, agree among themselves as to the principles upon which any other Government should be conducted; and, although professedly anti-reformers, although they had displayed very great zeal and ability in opposing the proposition of the hon. Member for East Surrey, they thought it their duty to bring in a Bill on the same model which only excited our surprise. The reason I would give to the hon. Member for Sunderland (Mr. Lindsay) for preferring not to wait for the fulfilment of the promises of the Government — supposing they have an opportunity of fulfilling them and for wishing to see the question of Reform in the hands of Reformers is this:—It is admitted that it is no easy matter to carry a Reform Bill, but I have stated in this House, and I believe it to be true, that we always find ourselves in difficulties when the two great parties in this House do not confine themselves to that which is their duty in right of their principles, but when one of them undertakes to do the business of the other. I have been blamed for saying that there was danger in a Conservative Reform Bill, because, in the nature of things, the Opposition would think themselves bound to go beyond it, and to outbid those by whom it was proposed. I justify myself in that statement by appealing to a passage in that remarkable letter addressed to the Earl of Derby by the right hon. Member for the University of Cambridge (Mr. Walpole) with reference to the Reform Bill of the late Government:—

> "I cannot help saying that the measure which the Cabinet are prepared to recommend is one which we should all of us have stoutly opposed if either Lord Palmerston or Lord John Russell had ventured to bring it forward."

There is also another consideration which leads me to the opinion that a Reform Bill should be brought in by Reformers. A compromise to some extent is always made before these questions are settled. No Government passes a Bill upon subjects of this nature in the exact form in which it is laid before Parliament; but a Bill brought in by those who have previously been opposed to any great extension of Reform is passed under the protest of those who would go further, and who say they are not bound by any compromise. If, on the other hand, a Reform Bill is passed by the Liberal party, that party are bound by any compromise to which they have assented, and the other party are certain never to disturb it, because the measure already goes beyond their own wishes and opinions. In such a case, therefore, there is a promise of stability and permanence which I do not think we could anticipate with reference to a Bill passed by a Conservative Government with the reluctant assent, or, probably, with the dissent and under the protest, of the Opposition. I have referred to the manner in which the Jewish question was settled, and another measure was passed to which I offered no objection, but which, in my opinion, it was not within the scope of a Conservative party to pass. They did not bring it forward, but they assented to it. I allude to the measure abolishing the property qualification of Members of Parliament. When that Bill was assented to, the Government were asked by one of their influential supporters which point of the Charter they were going to take up next, and a practical answer was given by the introduction of a Reform Bill providing for the establishment of a sort of electoral districts. I now come to another question—the mode of dealing with the claims to equality on the part of the Roman Catholics. I have no wish to complain in some respects, as regards the public interests, of the course the Government have taken. I have long entertained the opinion which I was glad to hear expressed last night by a Roman Catholic of high standing, the hon. and learned Member for Cork (Mr. Serjeant Deasy), that if by their policy the Government have succeeded in breaking up that system under which religious and political differences in Ireland have been conterminous, they have effected great good. I would willingly see on the opposite benches numbers of Conservative Members returned by Roman Catholic constituencies. I think is it a great misfortune in Ireland that every Roman Catholic is considered as bound to belong to the Liberal party, and every Protestant as bound to belong to the Conservative party. The Government will, then, have done much good if, by a conciliatory demeanour towards Roman Catholics—by satisfying their claims—they have broken up this system, and enabled persons, without reference to their religious opinions, to fall into the ranks of either of the great political parties without dishonour. I think that a wise policy on the part of the Government; but, at the same time, I must ask—why has this been done now for the first time? We recollect the dissolution of 1852, and how, when we endeavoured to do justice upon some points to our Roman Catholic fellow-countrymen, a Protestant cry was raised against us. Maynooth was the popular question, and the hon. Member for Warwickshire (Mr. Spooner) was idolized throughout England under the excitement which the agitation produced. When I was in office as Secretary for War I proposed to send, and I am happy to say I succeeded in sending, Roman Catholic chaplains to comfort the sick and wounded Roman Catholic soldiers in their suffering in the Crimea; but I had to encounter great opposition, which was backed by influential persons. I do not say that in the present case there has been any compact. I have heard strong expressions of indignation at the notion that treaties have been signed, or that written engagements have been entered into; but these things are not done by treaties, but on a tacit understanding. There have been charges of conspiracy, but I apprehend, that conspirators do not go and sign documents in the face of Masters in Chancery. I conceive that if it is done sincerely and *bonâ fide* there is nothing dishonourable in the Conservative Government offering measures which will give relief to Roman Catholics, and holding towards them conciliatory language, provided that such a course is not adopted at the moment, and for the purposes of the moment. I may state to the House, while alluding to this subject, what took place with reference to Roman Catholic prison chaplains in 1854, when the noble Member for Tiverton was at the head of the Government:—In the House of Commons, June 12, 1854, in Committee of Supply on the Civil Service Estimates, on the sum of £371,933 being proposed for the maintenance of Government prisons, Mr. Spooner asked for an explanation of an item of £550—not a very large sum—under the head of special service provision for Roman Catholic priests, and was replied to by Viscount Palmerston, who remarked that he supposed the hon. Gentleman wished to know why Roman Catholic priests were allowed to attend prisoners. Mr. Spooner then moved that the vote be reduced by £550, expressing his surprise that a Minister of the Crown should ask them to pay for instruction in a religion which the Sovereign had declared, by her assent to the Thirty-nine Articles, "an idolatrous faith and a dangerous deceit." Mr. Adderley approved of the Amendment. Sir John Pakington spoke against the proposed vote. On a division there appeared—for Mr. Spooner's Amendment, 158; against it, 136. In the list of that majority are to be found the names of Mr. Disraeli, Sir John Pakington, Mr. Whiteside, Colonel Taylor, Mr. Whitmore, the whipper-in of the party, and Mr. John George, the Irish Solicitor General. I do not in the least object to the change of opinion that has occurred now, but I say to Roman Catholic Gentlemen, "Recollect what we were exposed to in advocating your claims when on hardly a hustings in England could any man avow that he believed it was the duty of an English Government to give the consolations of their own Church to the soldiers who were bleeding in our cause." I hope that this change will be permanent, and that, if ever another Government should succeed hon. Gentlemen opposite, and proceed in the same course of conciliation, they will not again attempt to take up their old principles, and that we shall not again have a Protestant cry raised or the country told that its religion is in danger from these Romanizing Ministers. I was surprised and yet gratified to hear the tone in which the Irish Attorney General spoke upon this subject. He boasted that the Roman Catholics of Ireland reposed such entire confidence in the Government that they had returned a great number of Members who professed Conservative opinions. I rejoiced greatly to hear the language held by the right hon. and learned Gentleman. His expressions of tolerance on religious subjects, as well as of affection and good-will towards his Roman Catholic fellow-countrymen, fell like dew from heaven on a parched and thirsty land. "We have learnt," he said—for I use his own words—"we have learnt that toleration is compatible with Protestantism. We have learnt that we can—without giving up those sacred things, our own faith and belief—deal in a conciliatory and just spirit with our Roman Catholic fellow-subjects." How long has he learnt this? How many years, how many months, ay, how many weeks ago did this happy inspiration come upon him! I wish it had been earlier. Look back at the history of even the last twenty-five years. If hon. Gentlemen had learnt that lesson sooner, how much misery, strife, hatred, and uncharitableness—how many feelings ending in crime and bloodshed, would have been spared to afflicted Ireland! I rejoice, however, that they have learnt it now. I trust it is well and thoroughly learnt—that there will be no falling back from it. And I can assure the right hon. and learned Gentleman that I shall have the greatest satisfaction and pleasure in finding that a man of his great influence, derived from his high official position and the talents which dignify it, has become heartily and truly of opinion that the way to govern Ireland is by a display of the spirit of Christian toleration and good-will towards those who differ from us in religious convictions. I know it will be said, as, indeed, it has been said by the hon. Gentleman who spoke near me, that the Tories pass all the good measures—

that, for example, they repealed the Corn Laws; and it will be added by some, "You, too, changed your opinions." Well, I admit that; but let me draw attention for one moment to the circumstances of that time. Sir Robert Peel was at the head of a very powerful majority. He had been—I may say we had been—in the course of long discussions, extending over some years, defeated in argument, and convinced that we were wrong. The moment we felt this, we felt also that we could not go on conducting the Government with the maintenance of a fiscal system that was unsound and untenable. But for this, having a great majority, we might have held office much longer. But Sir Robert Peel forfeited that majority in order to carry out what he felt to be necessary for the safety of the country, and necessary especially for the safety of the landed aristocracy. I ask is there in that change any strict analogy which changes made in order to meet the views of a large Liberal majority differing from you in opinion; Sir Robert Peel felt that, whatever might be his own convictions, he was not the man who ought to introduce a Bill for the upsetting of a system which he had long supported, and he at once resigned office. He felt that the noble Lord who sits behind me, (Lord John Russell) was the proper person to propose that measure. Difficulties arose with regard to the formation of that Cabinet to which I need not allude, nor am I cognizant of them. The task was afterwards forced back upon Sir Robert Peel, but he felt so strongly in the first instance that he was not the right man to undertake such a work that, although at the head of a large majority, he voluntarily quitted office to enable others more fitted than himself to accomplish it. Well, we were ostracized from public life for years. I never murmured at that sentence. I conceive that the comparison between us and the Hivites and the Hittites drawn by the hon. Member for Birmingham was perfectly just. I think such changes of opinion onght not to be treated lightly, that they warrant the infliction of a heavy penalty, and therefore that the House and the country were perfectly right in ostracizing those who called themselves Peelites. I say then to those hon. Gentleman opposite who are changing their opinions on these subjects ["Oh, oh!"]—why surely there is a change in your opinions since 1854 in regard to the treatment of the Roman Catholics. Surely you have changed your opinions since the discussions upon Mr. Locke King's Bill. I give you credit for sincerity; but when I see changes made so rapidly, and at the same time see that in your party there are so many men conscientiously disapproving them, I am not confident that the promises you make will be carried out; and therefore, if I can get these measures safely passed by men who can pass them without the sacrifice of principle, and with much more effect for the public good, I have a strong preference for a Motion that will insure so great a benefit. The right hon. Gentleman the Attorney General for Ireland did me the honour to allude to me in a manner which has called me up on this occasion. He read several passages from a speech which I delivered upon foreign policy in the year 1848, and in which there were some remarks criticising the policy pursued in Sicily on an isolated occasion by the noble Lord the Member for Tiverton. Throughout this debate there has been a very general habit of conducting the defence of the Government in the following fashion;—we ask what the Government has done, and it is alleged, in words like those used by the hon. Member for Sunderland, that they have brought us confusion abroad, while nothing has been done at home. The favourite answer to all this is, that in the year 1848 somebody said something about somebody else on some other question, which makes it impossible that they can ever act together in a Cabinet. Now, parties have been very much broken up in this House of late years. It is said there have sometimes been very sharp discussions between different Members on this side of the House, and that they are not always found acting in the same combinations. Well, everybody has not that felicitous, calm, and philosophic manner which the right hon. and learned Gentlemen so eminently possesses. Some are carried away at times by their feelings, and speak with violence, and even with acrimony. Of course the right hon. and learned Gentleman's speeches, if examined, would yield no particle of such deleterious ingredients. I envy him that very much; but, at the same time, other men are not all so happily gifted with a placid temperament that leads them to bestow the most mellifluous appellations upon their political opponents. In the course of what I must now call a somewhat lengthened Parliamentary life, I may in the heat of discussion have said some things which in cooler moments I might have thought far stronger than were required. But, says the right hon. and learned Gentleman, "having blamed the policy of the noble Lord (Viscount Palmerston) in Sicily in 1848, how can you possibly serve in the same Cabinet with him?" Really I am much obliged to the right hon. and learned Gentleman for thus offering me a seat in the Cabinet not yet in existence. But if he asks me how I am to do this, I answer that I have done it before for three years, and I have never done anything with greater satisfaction. And I must say that a more honourable, more truthful, and I need not add more agreeable, colleague than the noble Viscount it would be impossible to find. The right hon. and learned Gentleman is very keen about the treaties of Vienna. He is horrified at the notion of anybody speaking of Italian suffering. These are the opinions of the Irish Attorney General. But there was a Mr. Whiteside who wrote not a pamphlet but a book about Italy, which I will not say was a book which nobody would desire to read, for it was much praised by discerning people, but—

Mr. WHITESIDE: I did not say a word last night about the treaties of Vienna except that it was understood that those treaties were intended to exclude the French from Italy.

Mr. SIDNEY HERBERT: I suppose the right hon. and learned Gentleman is in accordance with his colleagues? [No!] Then if he is not in accordance with them, of course there is no difficulty. If he is in accordance with them, then I want to know what would happen if Mr. Whiteside, the author of the book on Italy in the nineteenth century," should meet the Irish Attorney General, and attempt to serve in the same Administration with him. The hon. Member for Horsham (Mr. Seymour FitzGerald) arguing in the same strain, attacked somebody for having said something about somebody else some years ago. And that is given as a conclusive reason why we ought to support the Earl of Derby. [Mr. S. FitzGerald: I spoke of what had been said last year.] Well, that is nearer. But was not the Earl of Derby himself once juvenile and curly, with a great talent for invective and sarcasm? I have heard that noble Earl say things of the noble Lord the Member for Tiverton more sharp and acrimonious than anything the right hon. and learned Gentleman has ever read in any speech of mine. Does the Earl of Derby, however, think it impossible he may at any time sit in the same Cabinet with the noble Lord? Why, since those words were uttered, has not the noble Lord (Viscount Palmerston) been entreated to assist the Earl of Derby in forming a Government? All this is beneath contempt. You have a great question to decide,—is the Government fit, or not fit, to conduct public affairs, and there is nothing but raking up little bits from *Hansard*, showing that some one, at some other time, was opposed to some other statesman. Why, it is pitiable! But the right hon. and learned Gentleman (Mr. Whiteside) goes further, and says, "I will not tell you what somebody else says, but what I say myself." He tells us what happened at Willis's Rooms; but it is very dangerous to criticise speeches you have not heard, and which were never reported. Well, what did that firebrand, the Member for Tiverton, say? Here is a man who has held high office, has been Prime Minister and Secretary for Foreign Affairs, saying he "believes that intimate relations with France are beneficial both to France and England, and a guarantee of the peace of Europe." When has the Foreign Office announced that our intimate relations with France have been broken off? The right hon. Gentleman the Chancellor of the Exchequer, in the able speech he made when advocating the Conspiracy Bill, said that the alliance between France and England was the keystone of the peace of Europe. Then, is it not open to a statesman who has conducted affairs for so many years and with so much brilliancy as the noble Lord to express his belief that France is as much our ally as Austria, and his wish to preserve the alliance and a thorough good understanding with the former? Is there any departure from neutrality in that? Now, I wish to say a few words, in perfect frankness, on another point. It has been objected to us that we did not postpone this Amendment till the blue-books containing the recent correspondence of the Foreign Office were laid on the table. I believe the blue-books might have been presented on the first day of the Session. But I do not bring any charge against the Earl of Malmesbury of being the cause of war. I know many people think the war might have been averted; but it is very easy to judge things after the event, and very easy to pick out of blue-books the errors that may have been committed in the course of long negotiations. I was therefore glad to hear that the Chancellor of the Exchequer, when speaking of past negotiations under another Government could discover through a long series of negotiations no worse blot than that a sentence in some obscure note might be construed by two persons in two different ways. Blue-books are the most certain repositories of passages that can be used by an Opposition, and to which it is very difficult for a Government to reply. It is necessarily so; but I don't want any blue-books; my want of confidence in the Government is founded entirely on home transactions. And here I must say I believe the Earl of Malmesbury has done his best, and I think he has been treated with great injustice, especially by his friends. They asserted, most unfairly, that the peace of Europe depended on his remaining in office; whereas, if they had said he was an English gentleman of good abilities and patriotic intentions, doing his best in very difficult circumstances, of which he had had but little previous experience, we should all have heartily concurred with them, heartily wished him success, and shown every indulgence in examining the errors he might have committed. I must say he has been treated with injustice by his friends, and that by all he has been harshly dealt with. Having said thus much on this point, I will make one or two observations on the state of parties. We all hear very much of the unhappy divisions on this side of the House; divisions that are not so distinctly shown, I suppose, may be called happy ones. The Chancellor of the Exchequer, the great advocate of party Government, says he wishes to extend the area from which the choice of men for official life may be made, and reproaches the party leaders on this side of the House with being of a more exclusive character, He went so far as to make it a reproach to the noble Lord (Lord Hartington) who moved the Amendment, that he is a member of that "territorial aristocracy" of which he (the Chancellor of the Exchequer) has been so great an advocate. But recollect that in choosing men from the opposite party there is this great facility,—it is, compared with this side of the House, composed more entirely of one class, namely, that of landed proprietors; there are in its ranks distinguished lawyers and some representatives of commerce, but hardly any manufacturers. It has a far greater number of men of leisure, who can give their whole time to political affairs, than we have on this side. On this side of the House, composed to a certain, though less degree of the same elements, we have many gentlemen at the head of enormous establishments; they would laugh at you if you proposed to them to give up their business to take office. Then, again, does not this very fact produce an independence of thought and action on this side that does not exist on the other? There are differences on both sides; but on ours they have more scope. This adds to the difficulty of combination. But, at the same time, I should be sorry to see any Government commit anything like a dereliction of principle for the purpose of obtaining support. But be the causes what they may, it may be said that the result is that among their supporters the opposite party finds greater facilities for carrying on the Government. That is true if the numbers of the two parties are equal. Whether our numbers are equal will be tested by the division. I do not think we shall get from it what may be called a strong Government; many lament that; they say parties are broken up, and that is lamented also, without recognizing the causes. Though some political question may bring masses in the House together, yet the tendency on both sides is to break up the old lines of party. You will never get a strong Government in that sense; nor do I think we want a strong Government in the sense the country did formerly. Then society was weak, and a strong Government was necessary to repress and guide it; now society is strong and dominates the Government set over it. You may have a Government weak from its composition, or weak from want of support; I see no prospect of having a Government that will not be weak from want of support; but I think I see my way to having a Government strong by its composition. That is my justification of the vote I intend to give to-night. In what I have said I hope I have not given offence to any one; I feel great respect for many individuals who belong to the other party, and for some who are sitting on the Treasury Bench. [*Laughter.*] It is nothing to laugh at; I hope we have not come to the times when a warm friendship cannot be felt for a political opponent, when distinguished by character and attainments. As to the result of this contest, if we are beaten, I shall cheerfully acquiesce in the decision of the House, nay, shall rejoice to find that the Executive in whose hands the affairs of the country are placed have been strengthened by the division. If, on the other hand, the Government shall be in a minority we shall have great difficulty in forming a Government on this side of the House. Our numbers are not large. We shall be exposed to the opposition of the Chancellor of the Exchequer, and we all know how he carries on war. But I trust in that case that the patriotism and the good sense of the country would come to our aid. Whichever party is in power I trust that they may at any rate bring to a successful issue the two great questions that are now before the public—that they may conclude that domestic question which threatens to tear open the old wounds of society which years ago were healed by the first Reform Bill, and, that they will be able to restore peace to Europe, and restore it in a manner which shall show that we at any rate in free England have not forgotten that there is a people that is struggling for freedom.

Mr. BENTINCK said, the right hon. Gentleman who had just sat down had frankly and fairly admitted the justice of the sentence of ostracism which had been passed on the Peel party; and looking to the conduct of the Coalition Cabinet he (Mr. Bentinck) thought that sentence ought to be perpetual — and it was because one of the objects of this Amendment was to remove it that he should vote against it. They on that, (the Ministerial) side of the House, had been taunted by hon. Gentlemen on the other side with the silence during this debate of those who supported the measures of the Government—a silence which they said had been imposed upon them by the Government. He was not in the secrets of Her Majesty's Government, but he certainly was not aware that any effort had been made to restrain the oratorical powers of hon. Members on the Ministerial side of the House upon the first night of the debate, neither had he heard such a thing whispered in the lobby; and he would further say that had such an intimation been made to him he should have disregarded it. The fact of their having remained silent on the first night was to be explained—and he said it in no spirit of discourtesy to Gentlemen opposite—by the statement that they had heard nothing which called for a reply; and unless a person had come down with a speech ready cut and dried for the purpose, it was impossible to find anything in what had been said whereon to hang a speech on that side of the House. The argument which had been put forward by Members of the Opposition in favour of the Amendment appeared to him for the most part to furnish the strongest possible reasons against it. The hon. and learned Member for Cork (Serjeant Deasy) had told the House that the Government had failed in all their measures, and asked what confidence they could have in such a Government. It was not his province to defend Her Majesty's Government — they were well able to take their own part. There had been acts by the present Government since they came into office which he deeply lamented, with which he entirely disagreed, and which were to him a source of the utmost political regret; but he considered that he should be taking a most unwise and most unjustifiable course if, because the conduct of Her Majesty's Government having been such on one or two occasions that he was unable to support or concur in it, he were at once to join in supporting the Amendment of the noble Lord. The House had to ask itself in case it assisted in removing Her Majesty's present advisers, who were to take their places, and what were the chances of a strong Government which would prove of practical benefit to the country. The hon. and learned Gentleman the Member for Cork had said it was impossible that the Government could succeed on the present occasion otherwise than by the smallest possible majority; and so far as he could guess before the division actually took place, supposing the Government to have a majority, it would probably be a very small one; but on the other hand, he anticipated that if the adverse Motion were successful, it would equally be carried by an extremely small majority. If therefore they were to be told that the present Government was not fit to retain office because their probable majority would be of such a limited nature, what prospect had they of a strong Government being originated by the Opposition, who would come in perhaps by a majority of four or five? The noble Lord the Member for Tiverton said the question to be decided was whether the Administration of one of the greatest countries in the world was or was not deserving of the confidence of Parliament and the country. That was one of the gravest possible questions that could be entertained; but he repeated that there was another question which must also be answered by every one wishing to give a conscientious vote on this point, namely—what was to be the Government that was to succeed that now in office in the event of the Motion of the noble Lord opposite proving successful? According to the noble Lord the Member for Tiverton the present Government, if allowed to continue in office, would be the means of embroiling the country in foreign war. That was a matter of speculation on which he felt unable to pronounce an opinion; but, judging by what had already taken place, it appeared to him that the foreign policy of the Government had been able, decided, manly, and straightforward—and, so far as he could see, there was nothing in it to excite apprehension for the future. On the other hand, he appealed to the House and to the country to say whether the advent to office of the noble Lord himself was likely to be regarded as a symbol of peace to Europe. The foreign policy of the Government had been discussed at a singular time and much criticism had been passed on Lord Malmesbury's conduct, the admission always being made by the speakers that they were not in possession of the means by which they were to judge of what his conduct had really been. He had no further sources of information than were open to other hon. Gentlemen; but he felt bound to say that in his opinion the policy of the noble Lord at the head of the Foreign Office had been calm, dispassionate, and manly—and that if he had had difficulties to encounter, they had arisen not from any faults of his own, but from the proceedings of the country with regard to home legislation, and by want of proper attention to the defences of the country. Had those defences which the hon. Member for Ashton was anxious, he believed, to sweep away altogether, been in the condition in which they ought to have stood, the noble Lord at the head of the Foreign Office might fairly have taken a different tone than he had, under the circumstances, been able to assume; and he believed it quite within the bounds of possibility that, had he been able to take such a tone at that time, the consequences of the negotiations with which he was entrusted might have been very different. The noble Lord the Member for Tiverton said the present Government was weakened for the purposes of home legislation by the divisions existing among them. He should like to know, from the specimens they had had during the debate, what prospects of unanimity there were in the Government that was to follow. What were the kind of discussions that were likely to take place between Members of the new Cabinet? If it were formed it would probably include the noble Lord and the right hon. Member for Ashton. Would they see them talking over the last occasion on which that right hon. Gentleman had distinguished himself by upsetting the Government of the noble Lord? If such reminiscences were productive of unanimity, it would certainly be most remarkable. The noble Lord the Member for Tiverton, speaking in that colloquial tone which he sometimes assumed, said of Ministers, that "Those were not the sort of men to be on the Treasury Benches." He should like to know, before displacing them, what sort of men were they to have in their stead. In the new Government which was to be formed they would probably have also the services of the noble Lord the Member for the City of London; but he could not bring himself to believe that these were likely to lead to the stability of the Administration, or to the benefit of the public service. The noble Lord was undoubtedly a most unfortunate statesman: he had been once for six years at the head of a Liberal Government, the fate of which was that it died a natural death from want of administrative energy. The noble Lord had at various times attempted to bring forward measures that had not met the approbation of the country or of that House; and yet the noble Lord now claimed to be the only man in the House who had a right to originate those measures. His great objection, however, to the noble Lord was, that he was more likely than any man to add to the discord and confusion which must necessarily characterize the new Government. There was hardly any great question which had engaged the attention of Parliament for the last thirty years with which he had not, in common parlance, played fast and loose. The noble Lord in early life was a zealous Reformer; then he became in favour of finality—"finality" was his motto so long as he remained in office; but when he took his seat on the Opposition Benches he became a strenuous advocate of reform. The noble Lord, therefore, was not likely to give stability to the incoming Government. Then there was another section of public men who, looking at their past career, would greatly benefit the country by remaining out of office. As regarded the right hon. Baronet the Member for Carlisle, he could only say that he was unable to hail his advent to office as likely either to conduce to the harmony of the Government of which he was a Member, or to the maintenace of that state of things and the upholding of those principles which he (Mr. Bentinck) wished to see carried out. But he had yet to mention the most important personage of all—the hon. Gentleman the Member for Birmingham (Mr. Bright), who, for many years past had been a most determined political opponent of his future colleagues. Of the noble Lord the Member for Tiverton he had spoken in the strongest terms that Parliamentary courtesy would allow ; and only the previous night he had awowed his determination neither to praise the noble Lord nor to retract anything that he had ever said. It was quite clear from the present state of parties that the Amendment could never be carried, nor a Liberal Administration expect to survive, without the cordial support of the hon. Member for Birmingham. He (Mr. Bentinck) did not mean to say that the hon. Member for Birmingham was to be a Member of the new Cabinet, but if they knew anything of that hon. Gentleman, they knew that he was not likely to give to the present Motion his support without a sufficient guarantee that the incoming Government would carry out a policy consistent with the views which he himself espoused. With these conflicting opinions—with these powerful elements of disagreement—how was it possible that the Liberal Administration could go on working with any hope of cordiality, or any likelihood of beneficial results? Neither the noble Lord the Member for Tiverton nor the hon. Gentleman the Member for Birmingham had condescended to enlighten them as to the nature of their future policy—they had carefully abstained from stating how these difficulties were to be removed ; but it was the duty of that House, before coming to a decision on the Amendment, to inquire not only what that policy was to be, but whether the principles of the noble Lord the Member for Tiverton, or the principles of the hon. Member for Birmingham, were to be in the ascendant. One very remarkable assertion had been made by the hon. Member for Birmingham. He said that if the present Government had drifted this country into war—if by their mismanagement they had permitted this country to become involved in its consequences—that might have been a fair ground for a vote of no confidence. Why, if the object of the hon. Member had been to describe in the most accurate terms the precise conduct and exact proceeding, the whole history in fact of the Coalition Government, he could not have done it better! That was precisely what they did ; and they not only allowed the country to drift into a war, but having well embarked in that war, their subsequent conduct was characterized by such gross mismanagement that thousands of men and millions of money were wasted and sacrificed to official incompetency. A hopeless want of administrative ability characterized the British Government of that day, best known as the Coalition Government; and to recall that Administration to office, with even less advantages than it then possessed was, in his opinion, to play a most dangerous game. He did not think there were five men in this country who would not tell them that it was the first duty of the Government to attend to the defences of the country. He admitted that the noble Lord the Member for Tiverton had always been, in theory at least if not in practice, one of the ablest supporters of the defences of the country ; and although under his administration they had been allowed to dwindle away to a considerable extent, he had no doubt that he would now keep up our defences. But what was he to do with a Cabinet in which every element of strength must be derived from the presence of one, two, or three members who were the direct friends, supporters, and upholders of the opinions of the hon. Member for Birmingham. Did the noble Lord believe that they would recant all they had said, and sanction the large outlay required for the national defences? Before displacing the present Government the House ought to know how that important question on which the welfare of the country depended was to be dealt with by a new Cabinet. He believed that any Government which attempted to tamper or temporise with that question would be speedily ejected from office with the unanimous consent of the whole country. How did the hon. Member for Birmingham reconcile the maintenance of our commercial prosperity with the deterioration of our naval defences? Our commercial success was coeval with and dependent upon our maritime supremacy, and, the moment it became evident to foreign nations that we were unable to maintain that supremacy, that moment our commercial existence ceased and England sank into a third-rate Power. Yet, with this staring them in the face, they were invited to restore to office a Government the leading Members of which were prepared to advocate the destruction of that force on which our position as a nation depended. He would appeal to hon. Gentlemen opposite seriously to consider whether they would continue in office a Cabinet against which no distinct charge had been preferred, or if preferred certainly not proved, or whether they would bring into power a Government which must be composed of elements so discordant, so utterly inharmonious, that it would be impossible for them to work together except for the destruction of all the best interests of the country.

MR. DANBY SEYMOUR said, that this was not the first time they had been told that if there were to be a change of Government the sun of England would set for ever; but this country had existed and prospered through Liberal Administrations before, and he had no doubt that it would do so again. Hon. Gentlemen opposite said that throughout this debate there had been nothing for them to answer. He asked them, then, to give a good reason why the majority should sit upon the Opposition Benches while the Treasury Benches were occupied by the minority? The only hope that the Government had was in the dissensions of the Opposition, which they had been doing everything in their power to foment; but if the Ministerialists could agree, why also should not the Opposition? If they did, they were a majority, and according to constitutional precedent they ought to sit upon the other side of the House. If England ever sunk to be a third-rate Power, it could only be by forgetting her own constitutional precedents, and allowing a Government in an avowed minority to conduct her affairs. Turning to the foreign policy of the Government, there was a general feeling out of doors that the leaning of the present Government was towards Austria, and that there was some colour for that supposition. Austria was connected with the Pope and with the extreme section of the Roman Catholic Church. Why was the hon. Member for Dundalk (Mr. Bowyer) so enthusiastic in praise of the Government but because he thought that they were in favour of Austria and of that mediæval policy which she wished to see carried out in Italy? Why was it that the late King of Naples was in favour of them last year? And how was it that they boasted last year that they could settle the affair of the *Cagliria* much sooner than the Government that preceded them, because they were the friends of King Bomba? The Tory party of England had always been in favour of absolute government. Before they changed their name to Conservative they were opposed to every change which had occurred in the world for the last 100 years. On principle they had always sympathized with despotism throughout Europe. ["Oh!"] If he were wrong in saying so, it would be because this debate proved that they had no principles at all. Nothing could be more inconsistent than their conduct in office and out of office; the measures which they had passed since they had been in office were measures which they would have opposed in Opposition. Every triumph of which they boasted was a desertion of their principles, and instead of a credit was a disgrace to them. Did they mean to say that in passing the Jew Bill, or in offering to lower the borough franchise, they were consistent? At a time when their leader, Lord Derby, used his powerful eloquence to brand the Government of Lord Melbourne for an absence of principle, the noble Lord said they were "Ministers, but he could hardly call them a Government." The words which Lord Derby used in moving the vote of want of confidence in 1841 were applicable to the present Government now. He was happy to say that the dissensions of the Liberal party were healed. All had had to give up something, as all parties must who wished to remain parties and not small factions. The basis of party must be, as stated by the hon. Member for Birmingham, the average of opinion of all its members. Upon that basis the Liberal party were agreed, and their agreement would lead not only to their accession to power, but to their successful conduct of the Government afterwards. As to the war, he earnestly trusted that neutrality would be preserved. It was impossible for this country to sympathize with Austria, although the war was unjustifiable on the part of France and Sardinia. There was no doubt that Austria had checked the progress of both Germany and Italy. There was no doubt that the Concordat was a most retrograde step. Austria had bound herself hand and foot to the Pope so completely, that the whole education of the people was placed in the hands of the Jesuits. Not a classic could be read in an Austrian school without their previous permission; not a play could be represented at Vienna without the sanction of the Archbishop of that city. They knew the state of Italy had been the subject of long and frequent complaints on the part of all the great Powers of Europe, and Austria had for twenty-five years prevented the Pope yielding those reforms which were now about to be carried at the point of the bayonet. If Austria had been a liberal Power it was impossible to estimate the amount of good she might have effected in Eastern and Southern Europe. But, on the other hand, they could not sympathize with Sardinia, which, instead of trusting to the peaceable development of events, had done everything for years to get her present powerful ally to assist her in her ambitious projects. It would be a sad termination of the war if the Constitution of Sardinia, now suspended, should be extinguished, and an absolutism, with the democratic power of the people vested in one individual, as in France, substituted in its place. As they could not sympathize with either side, he hoped they would maintain neutrality. But in the present critical state of the south of Germany, they might hear any day of armies marching across the Rhine. They knew that there was a certain pact between Russia and France. If the Germans crossed the Rhine we could not sympathize with Germany; but if Germany were attacked by France and Russia, for any fanciful projects of dividing German territory, there would be a very strong feeling in England in favour of Germany as an oppressed Power. The contingency might happen: and, therefore, all parties must be desirous to have our naval and military establishments undiminished. There was also the contingency of England being invaded. They had always found the Emperor of the French observe good faith towards this country; but there was no doubt that monarch had broken pledges. Before the *coup d'état* he wrote assuring letters to the National Assembly, which he suppressed two days afterwards. He could not, therefore, complain if that circumstance was still remembered, and if suspicions, as to his real intentions, still lingered in many minds. We should be in a safer position if our population was armed than if we remained in our present unarmed condition, and hon. Members need not fear that a change of Government would lead to the neglect of defensive preparations.

CAPTAIN VERNON said, he should not have risen whilst so many hon. Members were anxious to address the House, except for the fact that he had a little information to give to Gentlemen on the opposite side, and particularly to the right hon. Member for Carlisle (Sir James Graham), and the hon. Member for Devonport (Mr. Wilson), who, indeed, were not now present in their places, but who he had no doubt would hear by other means what he had to communicate within the next twenty-four hours. The subject on which he was about to give information he should not have considered of great importance except for the fact that those Gentlemen to whom he had referred had dragged it into the debate by the hair of the head. It was the case of the Cunard line to which he referred. The hon. and right hon. Gentlemen had placed the matter before the House in an invidious position. The hon. Member for Devonport stated that the contract had been made contrary to all precedent, and insinuated that it was made for the purpose of jobbery. The right hon. Member for Carlisle, with that intrepidity of assertion for which he was, not without a certain amount of celebrity, went so far as to say that the money had been expended in huge gigantic bribery—a bribery of all the Members for the west of Ireland, In the course of his speech the hon. Member for Birmingham had alluded to a person sent to oppose his election, and had termed him a "wandering politician;" but the right hon. Member for Carlisle had not always sat for Carlisle, nor had the hon. Member for Devonport always sat for Devonport. It might be that they in the course of their political travels might present themselves at the western side of Ireland, in search of a constituency, and should they do so he had no hesitation in saying that they would speedily discover that they were "not the men for Galway." The hon. Member for Devonport had given them to understand that there was no precedent for that which he had denounced. Now, in 1851 Lord Jocelyn's Committee sat, and of that Committee the hon. Member for Devonport was one. The Committee was appointed so consider the mode of arranging the postal communication with India; and they came to a distinct understanding that there should be two lines of postal communication with India, and that those two lines should not be given to the same parties. One line was in the possession of the Peninsular and Oriental Company, and the other line was competed for by the Eastern Steam Navigation Company. In defiance of the recommendation of the

Committee, the second line of communication was given to the Peninsular and Oriental Company, and they then had a monopoly of the East Indian postal communication, except a small line held by the East India Company between Aden and Bombay. The Company afterwards gave up that line, and it was expected it would be put up to competition, and some parties had asked to be allowed to tender for it; they found however that it had already been given to the Peninsular and Oriental Company. He did not charge this as a job; but why should the hon. Gentleman charge the present Government with a job in the Cunard case? He never recollected hearing that the hon. Member for Devonport was deficient in memory; the hon. Gentleman observed and recollected very well the acts of others; and therefore it was to be assumed that he knew and recollected his own acts. Now, what were the facts in reference to the line from Aden to Bombay? The Gentlemen who wanted to get this line from Aden to Bombay communicated with the Chancellor of the Exchequer, and asked for an interview, and received the following reply:—

"Downing Street, Dec. 8, 1853.

"Sir,—The Chancellor of the Exchequer desires me to inform you, in reply to your letter dated the 11th of October, but which only arrived in Downing Street on the 5th instant, that no intimation has yet been conveyed to him on the part of the East India Company of their intention to abandon the line of steam communication between Aden and Bombay, and in this state of the question he would be much obliged if, previous to urging an interview with him, you would have the kindness to favour him with an outline of your views upon the subject in writing.

"I have the honour, &c.,

"Thos. Holroyd, Esq." "R. W. Wilbraham."

Mr. Holroyd accordingly wrote in answer:

"70, Cornhill, Dec. 14, 1854.

"Sir,—When the former contracts for the carriage of the mails in the Eastern seas were about to expire, I had in deputation several times occasion to meet Sir Charles Wood, the then Chancellor of the Exchequer, who invariably stated to us that the question for the contracts for the carriage of the mails rested entirely with him as 'Chancellor of the Exchequer,' and Sir Charles Wood exercised that authority by giving all the contracts for the carriage of the mails to the Peninsular and Oriental Company, much to the disappointment of the mercantile and Indian communities.

"When, therefore, it became known that the East India Company were about to abandon the line between Aden and Bombay the mercantile community felt that an opportunity was now offered for competition in the Eastern seas, and a moment favourable for carrying out the recorded opinion of the commissioners on the contract packet service for the establishment of a line *viâ* Trieste. Feeling satisfied that the matter really rested with you, I took the liberty of soliciting an interview. The reply to my letter from your Secretary, Mr. Wilbraham, dated the 8th inst., states that no intimation had as yet been conveyed to you on the part of the East India Company, of their intention to abandon the line of steam communication between Aden and Bombay; and that, in that state of the question, you would be glad to have an outline of my views in writing previous to an interview.

"You will, therefore, I am sure, be equally surprised with myself to find that, without your knowledge, a contract has been virtually concluded with the Peninsular and Oriental Company for the carriage of the mails between Aden and Bombay of that portion of the line abandoned by the East India Company, thus giving the Peninsular and Oriental Company a complete monopoly of the Indian and China Seas. This information I had from Mr. Wilson, the Secretary to the Treasury this morning; and from what he told me it would appear to be useless in my troubling you with my views on the subject, since he stated the arrangement to have been concluded a fortnight ago, and therefore just one week before the date of your Secretary's letter to which I have alluded, and from which it is quite evident that this arrangement has been entered into quite unknown to you. I may be permitted to state shortly that a company has been formed in the City ready to give the public the benefit of an additional route *viâ* Trieste, at a speed very superior to that promised by the Peninsular and Oriental, namely, twenty-one days to Bombay, and the memorials in my possession from the City of London, of Liverpool and Manchester, and Halifax, of which I enclose copies, will show the feeling of the trade on the subject.

"I have, &c., "Thos. Holroyd.

"Right Hon. the Chancellor of the Exchequer."

How the hon. Member could after this say that there was no precedent for such a thing as the Cunard arrangement, seemed to him to be wonderful. The hon. Member for Devonport charged the Government with unduly influencing the elections. He pronounced to the House a Jeremiad respecting the manner in which he had been treated at Devonport, and he so depicted his griefs that he (Captain Vernon) expected to see "the big tears, rolling down his innocent nose."

"A fellow feeling makes us wondrous kind:"

had he done so he (Captain Vernon) could have mingled his tears in the same bottle; for he had in times gone by contested Chatham against the Government, and it might be readily imagined that the hon. Member and himself had been tarred with the same brush. In reference to elections, it was the easiest thing in the world to make charges in every possible direction. The right hon. Member for Carlisle had given them to understand that a large sum of money had been paid by a nobleman on the Conservative side, with the view of that money being employed for political purposes. He said at first £20,000, then £10,000, then £5,000, and he did not know whether the right hon. Gentleman had not eventually "shadowed" it away altogether; but at all events the statement left behind it a sting. The right hon. Member said that there was an improper interference with the elections; but did he not know that that which was charged against one side of the House was also charged against the other? The hon. and learned Member for Cork (Mr. Serjeant Deasy) when speaking the other night in his excitement, "bonneted" the noble Lord the Member for London, and the right hon. Member for Carlisle was morally "bonneting" the noble Lord when he charged the noble Earl with subscribing money for the elections. Similar things to those said of the noble Earl had been said of Gentlemen closely connected with the noble Lord the Member for London. But he (Captain Vernon) did not believe that such things ever took place or ever could. The hon. Member for Birmingham (Mr. Bright) gave them to understand that bribery extended among all sorts and conditions of men. He did not say whether he left out his own particular friends; but if Bribery were a goddess it would appear that she had served out a certain amount of poetical justice to the hon. Member, for at that very moment whilst he was speaking, petitions were lodged against two of the hon. Members, immediate relatives, for bribery. No doubt a more philanthropic man than the hon. Member for Birmingham did not exist, and no doubt the feeling extended to his family; and doubtless when they contributed their specie it was from purely a philanthropic love of their species. One of the relatives of the hon. Member for Birmingham must be connected with the Humane Society, for he believed he had actually gone to the extent of paying £20 for a cat—a tolerably large sum for a four-legged mousetrap. They were all fresh from the hustings; and if ever there was a time when the constituencies of the kingdom compelled candidates to be explicit and give things their right names, and call a spade a spade, it was now; and doubtless the people of England expected that at that, their first deliberation, they would carry out the same straightforward policy. He wanted to know what they had been doing in their debate? He had been sitting for nights "like Patience on a monument" not smiling—but listening, not to the great question before the House, but to matters about Austria, Germany, Sardinia, and France, and all parts of the habitable globe; but the great question before the House had been systematically blinked, except that now and then when some hon. Gentleman spoke in a high-spirited tone about "chivalry" and "throwing down the gauntlet" and other such language, which made him rejoice that he did not live in the good old Irish times when that sort of thing ended in pistols and "wigs on the Green." What was this Amendment, stripped of its disguise? Why nothing but a desperate determination on the part of certain Gentlemen, who had been cooling their heels in Opposition once more to warm their backs at the Treasury fire. That was to be the be-all and end-all of this Amendment, the letter and not the spirit of which they were called upon to delude themselves into the belief that they were taking into their serious consideration. They might deceive themselves, for there was no deception so easy as self-deception; but they could not deceive the people out of doors. They had too fresh in their recollection the unhappy Motion of the hon. Member for the City of Oxford, in which he suffered himself to be victimised by his friends, and sent forward like a scapegoat bleating into the wilderness in expiation of the sins of his party. They had too fresh in their recollection the factious Amendment of the noble Lord the Member for the City of London. They could not be deluded, but could see at once what must be the plain and distinct object of the Amendment. He believed that the thinking part of the community — the intelligence that guided the commerce and general business of the country — were sick and tired of seeing the great interest of the country jeopardized, and, if not sacrificed, at least postponed to the miserable question as to who were or who were not to hold office, and be the distributors of patronage. There was a feeling growing up throughout the land that England had a nobler destiny to fulfil than to be the mere pasture ground of a political clique. The interests of England and of her people would always be paramount when those names that had flourished in the leading columns of newspapers, and who fancied they were names for history, would be swept from the face of the earth. We have all met this feeling face to face within this three months — it would one day make itself heard in a voice of thunder if its discontented mutterings were suffered to pass unheeded now. What was the plain and unmistakeable object of this Amendment? Why, the removal of Lord Derby from power. [*Cheers.*] He accepted those cheers, and he would ask hon. Gentlemen opposite why should Lord Derby be removed? Was it, he would ask, because Lord Derby had neglected Reform, as did the Administrations of the two noble Lords, until it served their purpose to reproduce it as a political stalking-horse? Was it because he had mismanaged the foreign relations of the country, as did the noble Lord, who suffered himself to be cajoled, and flattered, and out-manœuvred at Vienna, drifting the country into a sanguinary and savage war, as did the Administration to which the noble Lord belonged? Was it because he had plunged them into a sanguinary war with China, as did the noble Viscount, that cost the country much money, and him (Captain Vernon) his seat? Was it because he had submitted to national humiliation, as did the noble Viscount, and which, in his turn, cost him his seat? No, none of these circumstances and misdemeanours could be laid to the charge of Lord Derby. Then, what was his crime? Why, his crime was that he occupied the seat coveted by the noble Lords opposite, the filibustering cry of whose party was "war at any price." And who was to be their future leader? Who was to reign upon the Treasury ben

> "Under which king, Benzonian?
> Speak or die."

Was Tiverton to do suit and service to London, or was London to be dragged at the chariot wheels and through the mud of Tiverton? Who was to be *Ego*, and who was to be *Rex meus?* Or was the Premier of England in future to be depicted in the imperishable pages of *Punch* as the two Kings of Brentford, amicably smelling at the same nosegay? Or was a third element to be introduced in the shape of the hon. Member for Birmingham? And was the Premier of England in the good time coming to be as described by the celebrated Mrs. Malaprop, like Mr. Cerberus—three gentlemen at once? Poverty made people acquainted with strange bed-fellows; but was it an impossible vision that would vouchsafe to them the probability of seeing the noble Lord the Member for the City and the noble Viscount the Member for Tiverton comfortably tucked up under the blanket of coalition, with the hon. Member for Birmingham ensconced as "bodkin" between them.

> "Could such things be,
> And overcome us, like a summer cloud,
> Without our special wonder?"

What was the bond of union between this choice triumvirate? Was it peace? That was not the vocation of the noble Viscount. Was it war? That was against every feeling of the hon. Member for Birmingham. But here he must do the noble Lord the Member for the City of London the justice to say that he appeared to have a bias both ways, for whereas he formerly drifted this country into one of the bloodiest wars, that made England like Egypt when a cry went through the land, for in every house there lay one dead, he suddenly became peaceful and deserted his party on the Motion of the hon. and learned Member for Sheffield, who, to distinguish him from his hon. and learned colleague, might fairly be called the gallant Member for Sheffield. What, then, was the bond of union?—was it the ballot? Why they all knew that the ballot was a stink in the nostrils of the noble Viscount, though it was a sweet smelling savour to the hon. Member for Birmingham. And here, again, the noble Lord the Member for the City of London might be said to have a bias both ways—for whereas formerly he eschewed the ballot latterly, under the pressure of a possible contest for the City of London, he had been induced to look at the momentous question with very modified feelings. What was the bond of union? Was it Reform? He believed that no power upon earth would induce the noble Viscount to go the whole length with the hon. Member for Birmingham; and no power on earth would induce the hon. Member for Birmingham to stop where the noble Viscount stopped. But here, again, he must do the noble Lord the Member for the City of London the justice to say that he had a bias both ways; for whereas formerly the word "finality" was the prefix to his patronymic, now he was prepared to dance on wherever the hon. Member for Birmingham was pleased to fiddle. He would call on hon. Gentlemen opposite who were Liberals at heart, and not merely of mouth—who were received throughout the length and breadth of the land as the champions of honest Liberalism —to destroy the proposed Amendment,

which might be the means of bringing into power men whom they
"Have learned to know, and knowing to distrust."
He called on those hon. Gentlemen, who at the last election obtained their seats through the magic potency of the noble Viscount's name, and who deserting him in his utmost need, fled from him like quicksilver—he called on them to recollect why they did so—if they forgot he would not forget—and to resist the proposed Amendment that might bring his strong indignation back into power. He called on those hon. Members who once banded themselves together, and thrust out from them the noble Lord the Member for the City of London, to remember why they did so—for if they forgot it, he would not—and to resist this Amendment, that would bring back his strong indignation into power. He called upon them to recollect the terms in which the hon. Member for Birmingham gibbeted these remarkable proceedings—"Where did these conspirators meet—was it in a coal-hole or in a sewer! A fit receptacle for so dirty a transaction." He called on them to recur to the feelings with which they must have heard these words, and resist the Amendment, that might bring his (Mr. Bright's) scorn and indignation to power. He called on those on his side of the House, marshalled in the Conservative ranks, to recollect that this Amendment was not directed against the Conservative Ministry alone, but against the Conservative party altogether, and not to listen to the flattering words of the right hon. Member for South Wilts, who said he did not find fault with the party, but with those that led the party. Could the right hon. Gentleman divide the head from the body? When the leaders were attacked, the party was attacked. When they were to be defended, they were to be defended by a party; and the party had now to defend them from the assault, not of a policy, but of a party—not by a fact, but by a faction. Let them then stand well together—let there be no doubt—no hair splitting—no "letting I dare not wait upon I would"—but let them rally together like one man, under the banner of union and consistency, and as one man stand or fall.

Mr. LEATHAM: I rise, Sir, asking that indulgence which I have been informed is invariably granted the first time any Member seeks to address the House. I think that the hon. and gallant Member for Buckinghamshire has made a most unjustifiable attack upon the relatives of the hon. Member for Birmingham. Is it because the hon. Member for Birmingham is not in his place that the hon. and gallant Member for Buckinghamshire seeks to apply, what he is pleased to call "the tar brush" to the relations of the hon. Member? Is he sure that the "tar brush" is not applicable to himself? It is true, Sir, that petitions have been presented against the return of the hon. Member for Huddersfield and myself, but at this time it would ill become me to make any further observations respecting what must form a subject of judicial investigation of the House. Now, Sir, with regard to the vote I am about reluctantly to give. I consider that those who move and support an Amendment on the Address take upon themselves a great responsibility. That responsibility is one which I am willing to share with the Liberal party. Recurring to the vote which placed the present Administration in power, though at that time I had not the honour of a seat in the House, I entirely concurred in the general feeling that Lord Derby's administration deserved a fair trial. I consider, Sir, that the Administration of Lord Derby has had a fair trial, but owing to some radical defect in the measures it has introduced to the House, it has lost much of the confidence of the country. He was himself sent to Parliament mainly on one question—the question of Parliamentary Reform — and on the ground of that question he must vote against the Government. He did not doubt the ability of the Gentlemen who composed the present Administration, but they had egregiously failed as practical statesmen. The way they had treated the 40*s.* freeholders and the working classes would not soon be forgotten by either. He could assure the gallant Captain that his (Mr. Leatham's) constituents did not employ him to buy cats at £20 a piece, but they had sent him there to state that they had no confidence in Her Majesty's present advisers to amend the representation of the people.

Sir GEORGE LEWIS: Sir, I think I shall represent the feelings of both sides of the House when I say that great gratitude is due to the hon. Gentleman (Captain Vernon) for the diversion which he offered us during the dull hours that usually elapse between seven and nine o'clock. I shall not think it my duty to follow him through the details which he gave us on the subject of the Cunard contract, or to expatiate on the difficulties of steam navigation. Nor, again, shall I attempt t emulate the excursions which he made through various imaginative fields, to imitate the dramatic allusions which he introduced, or try to rival those attempts which reminded one of the more successful endeavours on other boards of persons who are said *plausû sui gaudere theatri.* My object is of a more humble and more prosaic kind. It is to state my reasons for voting in support of the Amendment. I fully admit that an Amendment of this nature, involving an expression of want of confidence in the Executive Government of the country, is unusual and extraordinary, and that persons who have been habitually in opposition to the Government since its formation, and have constantly found themselves in divisions in the opposite lobby might hesitate to support a vote of that description. But it seems to me that any person who has been in the habit of opposing the existing Government ought not to hesitate upon this occasion to support the Amendment. That Amendment has not been proposed spontaneously; it has been forced upon the Opposition by the conduct of the Government. When my noble Friend (Lord John Russell) moved his Resolution upon the Reform Bill in the last Parliament, that Resolution, in my opinion, did not import a censure on the Ministry. It affirmed certain principles with respect to a Reform Bill on which this side of the House were unanimously agreed, and in which a large number of Gentlemen on the Ministerial side also concurred; and it would have been competent to the Government, if they had thought fit, to have accepted those principles, and to have modified their measure accordingly. But they did not take that course. They treated the Resolution, quite unnecessarily, as a vote of censure; they went to a division on the understanding that every one who supported it thereby implied his disapprobation of the general conduct of Her Majesty's advisers. The Motion, as we know, was supported by a large majority of the late Parliament. The Government did not acquiesce in the decision come to. They appealed to the country—but not on the merits of the Reform measure which they had introduced. They appealed to the country for a vote of confidence in their Administration, and the elections which took place in consequence of the dissolution, did not turn upon the question whether their Reform Bill should be revived in the present Parliament, but whether the country had confidence or not in Her Majesty's present advisers. I entirely assent to the remarks to which the House listened with so much attention yesterday from the hon. Member for Birmingham, in which he said, with truth and justice, that some questions of importance were decided at the elections. We know what efforts were made there and what accusations were thrown out of subscriptions entered into for contesting the elections. I do not repeat those assertions; for no Election Committees have been appointed, and I have no evidence on which I can ground any such charge. I therefore merely refer to these statements as general rumours; but they prove that great exertions were made and great anxiety was entertained as to whether the elections would be determined in favour of a Conservative or of a Liberal candidate. Why was it that such exertions were made, that so much anxiety was felt if something was not expected from the new Parliament when it should assemble? I appeal to the general consciousness of the country, and to the knowledge of every Member in this House, whether they did not believe that the fate of the Administration depended on the result of the elections, and whether the declaration in Her Majesty's speech was not so understood? Lord Derby stated at the Mansion-house that he felt himself in the condition of an officer put upon his trial before a court martial, with his sword upon the table, and the elections were to decide whether that sword was to be returned to him with honour or not. Now I say that we are the court-martial, we are the tribunal to decide whether or no the sword should be restored to the Prime Minister of this country, and that if the Gentlemen sitting on this side of the House had not met the defiance thus distinctly thrown out to them, they would have been guilty of political cowardice; and it would have been stated with perfect truth, that they, understanding the position in which they had been placed, had declined to meet this challenge. The Chancellor of the Exchequer, on the first night of the Session, offered various arguments to the Opposition in favour of inaction. He told us that there was war in Europe; that the country was in a critical position, that the finances required adjustment, that the Estimates demanded consideration, and that all these were reasons why we should acquiesce in the Address as originally proposed, and why the Amendment should be negatived. I assert with the utmost confidence that if on the first night of the Session Gentlemen on this side had risen with those arguments in their mouths, and if they had not moved any such vote as that which is now under the consideration of the House, they would have been told that they were merely putting forward pretexts to conceal their real motive—a fear to bring to a distinct issue the question which had been submitted to the country, and that their reluctance to accept the challenge of Ministers was owing to their consciousness that the country had decided against them. Under these circumstances I cannot but think the course which has been taken on the present occasion not only is a right course, but is the only course which the conduct of the Government left to gentlemen on this side of the House; and I can hardly persuade myself that any person who takes even a party view of this question can deny that a challenge fairly given has been fairly accepted, and that the issue before the House is one which was not only fully justified, but absolutely required to be tendered to Parliament. That being the case perhaps some persons may say that it is not necessary that a political party should be guided by the conduct of its opponents; that although this challenge was offered, yet it was offered merely for the purpose of entrapping us into acceptance, and that we were not bound by an issue which was prescribed by Ministers. I fully admit that if we were free agents in the matter, and it had been thought expedient to refuse the defiance which was thus offered, it would be competent to us, in the exercise of our discretion, to have done so; but when the general rumour and even the organs of Gentlemen opposite attributed to the elections a preponderating number in favour of the Liberal party, no such option was in fact left us, and a moral necessity existed for the course which has been adopted. It has been said by some Gentlemen who have spoken on the opposite side, that although the provocation might have proceeded from Ministers, nevertheless this is, on the part of the Opposition, a mere party move, and therefore entitled to condemnation. I fully admit that this Motion is a party move; and if any Gentleman, particularly any new Member, thinks that any advantage is to be derived from that admission, I make it without the smallest reservation. But I must be permitted to remark that all great questions in this House have been decided by party moves. A Parliamentary system can only be conducted by the combined operation of parties. A party is a body of persons combined for a public object. So long as the object which sets them in motion is a public and not a private and sectional one, they are not only justified, but impelled by duty to the adoption of such a course as that which we are now pursuing. If we look back to former times we shall find that all great questions—the Reform Bill of 1832, Catholic Emancipation, and the Repeal of the Corn Laws—all those great changes by which our social condition has been improved—were dealt with in the way of party moves; and whatever amelioration is to be expected in our present state must, according to the constitution of the House of Commons, proceed from the same sources. Perhaps, in endeavouring to ascertain how far the conduct of the present Government justifies the course which I and others are about to take, we shall be told that the Conservative party have not adhered to their former opinions, but have adopted a new line of policy, and that therefore those arguments and those reasons which formerly would have induced a Liberal Opposition to take steps for removing them from the conduct of public affairs would now serve as arguments for retaining them in office. But does the history of the existing Administration support any such view of the case? It is true that the present Government, according to the metaphor of my noble Friend the Member for Tiverton, undertook the administration with the engagements of their predecessors. That undertaking was an entirely new one in the conduct of public affairs in this country. Hitherto it has been the recognized system that when an Opposition came into office they continued to act upon the principles which had governed them before acceding to power. But the present advisers of Her Majesty acted in a different manner. Upon coming into office they thought it necessary with respect to two important measures—the India Bill and Reform—to saddle themselves with the engagements of their predecessors, the present Opposition. In regard to the India Bill, up to the very day that preceded their accession to power, the present Government opposed the measure which had been proposed by their predecessors, dividing against it in great numbers. Upon acceding to office they entirely renounced the opinions which they had formed and expressed upon the subject of that Bill, and they introduced a measure founded upon the principle of that which they had condemned—viz., the transfer of the power of the East India Company to the Crown. But their Bill was extravagant in its conception and execution; it scarcely outlived the day upon which it was proposed, and was speedily abandoned by its authors. Nevertheless, it was eminently characteristic, for it showed with what readiness they departed from their own principles and adopted those of their opponents. So with respect to the question of Reform. Having from the time they had been a party opposed systematically all reform in Parliament, they nevertheless adopted the obligation of their predecessors to propose a Reform Bill, and in the last Session we had their measure before us. There was one point which was adverted to by the Chancellor of the Exchequer, on the first night of the debate, as to which I will make one remark. The Chancellor of the Exchequer stated that he could not admit that any party was to be permitted to have a monopoly of any question ; and he said, in regard to the Reform Bill, that the Liberal party could not pretend to be exclusively entitled to propose a measure upon the subject of reform. I entirely accede to the doctrine of the right hon. Gentleman that there is no party in this House which is entitled to claim any such exclusive privilege; but the practice for which I contend is that that party which which has consistently advocated certain principles on the question of reform is the party which is most fit to introduce a measure on the subject, and which is most able to overcome the practical difficulties that necessarily arise in the settlement of such a great question. The right hon. Gentleman referred to some examples, and told us that in former times the Duke of Richmond and Mr. Pitt—both members, as I understood him to say, of the Tory party—proposed measures on the subject of reform; but let me remind him that the Duke of Richmond of that day was not only a Whig, but, according to a well known phrase, was a "Whig and something more," and that when Mr. Pitt first proposed a Bill on the subject of reform, he likewise was a member of the same party. I contend that that party which has from the beginning connected itself with the question of reform is better qualified both as to its leaders and its supporters to propose and carry through Parliament, successfully, a practical measure on that subject than any other. But it is said that, although Gentlemen opposite have since their accession to office changed their former opinions, and in making that change of opinion may have forfeited the confidence of the House, nevertheless their measures have been attended with practical success, and on that account they may claim the confidence of the country. But where are the questions on which the Government can appeal to Parliament on the ground of their practical success? Can they appeal to the argument of practical success on the subject of their foreign policy or of reform, or on any of the various Bills they have introduced to this House? Even with regard to the more limited question of finance the anticipations formed by the right hon. Gentleman the Chancellor of the Exchequer have not been realized by the event. In the budget which he proposed last Session—which was certainly of a peculiar character, for it consisted for the most part in postponing certain engagements, and in allowing the Act in regard to £2,000,000 derived from income tax to expire, rather than to keep the Act in force for the purpose of paying off other engagements — the right hon. Gentleman made certain calculations with respect to the produce of the revenue for the last year ; but if we examine these calculations in detail we shall find that all of them have been falsified. For example: the right hon. Gentleman anticipated from the addition to the duty on Irish spirits an increase of half a million sterling ; but, so far from that calculation being realized, there had been a diminution upon the produce of Irish spirits of £90,000. Then, again, the right hon. Gentleman anticipated from the new duty on bankers' cheques £300,000, but it has produced only £200,000. I could pursue this subject into greater detail if it were necessary; but I shall simply add that for these and other reasons to which I will not advert, I shall have no hesitation in giving my vote in favour of the Amendment.

Sir JOHN PAKINGTON : Sir, I think the manner in which a Government has dealt with the defences of the country ought fairly to enter into consideration in deciding the question whether that Government is or is not entitled to the confidence of the country. And if there was ever a time when that consideration ought to enter into a decision of that kind it is the present, bearing in mind the great armaments that are in progress, and the very unusual course which Her Majesty's Government has taken in this respect. Before, however, adverting to this part of the subject, there are one or two points have been mooted during this discussion to which I wish, in the first place, briefly to advert. At the outset I beg to say that I heartily concur with those of my friends on this side of the House who have signified their freedom from any objection to the course which hon. Gentlemen opposite have taken on this occasion. I was one of those who complained loudly, and I think justly, of the course taken by the noble Lord the Member for the City of London, in reference to the Reform Bill in the late Parliament. I make no such complaint now. I think Gentlemen opposite have a perfect right to raise the question now under consideration, and I am the more disposed to make that concession after listening attentively to the debate which has taken place, and marking the absolute and complete failure of every attempt to bring in any serious charge against Her Majesty's Government. It is true the noble Viscount the Member for Tiverton did make an attempt to inculpate the Government in certain charges ; but after indulging in a certain number of jokes and some amount of abuse, *more suo* [" Oh, oh !"]—when I say abuse, I mean good-humoured abuse, but I still find fault with the tone in which it was indulged. After a good deal of that kind of language, the noble Viscount found himself compelled to give up the attempt, and, taking up the only ground open to hon. Gentlemen on the opposite side, to state almost in plain language, " We have nothing to say against you, but we want your places." That, Sir, is indeed the real question at issue ; I recognize the right of hon. Gentlemen opposite to raise that issue, and they have raised it fairly. It cannot be disguised, and they have been unable to throw any cloak over the obvious character of the vote. The right hon. Gentleman who has just sat down professed to enter into the reasons on which he would support the Amendment before the House ; but I listened in vain for anything that could alter the character which that Amendment assumes to my mind, or for any reason for refusing confidence in the Government, or for passing anything like a vote of censure upon them. The right hon. Gentleman the Member for South Wilts avowed, in my opinion, more than any one else that he felt the necessity of justifying such an Amendment as that before the House by reasons, and he proceeded to give what he no doubt thought were very sufficient reasons for refusing to place confidence in the Government. But in his case also I listened in vain for anything that, in my mind, could justify such a step as the Opposition are now taking. His speech appeared to consist of a reply to certain arguments used by my hon. Friend the Member for Sunderland (Mr. W. S. Lindsay), and that on which he dwelt most was one founded on the fact of the Government having consented to the admission of Jews to Parliament. The right hon. Gentleman proceeded to dwell upon what he called a reason for supporting this vote of want of confidence, which I own appeared to me to be of the most insufficient and inconsistent character. He referred to attempts on the part of the Government to conciliate and do justice to our Roman Catholic fellow subjects; but, assuming for a moment the truth and accuracy of all that he has said, and as far as I am concerned as one member of the Government I entirely accept it. I am unable to understand how he can twist this into a reason for supporting a vote of want of confidence. The right hon. Gentleman said, in the first place, that he thought we were right, and then he proceeded to make a charge against us, not that we were wrong now, but that our being right now was the greatest inconsistency, because this was the party who had always refused concession to the Roman Catholics, and in illustration of this view he referred to a vote of this House in 1854, on the question of the employment of Roman Catholic chaplains in gaols, and he argued from that fact, that whatever we might feel now in regard to our Roman Catholic fellow-subjects was gross inconconsistency on our part. [" Hear, hear."] I am glad to hear that cheer, because I am about to make a serious complaint of very great injustice done to myself personally, in being named by the right hon. Gentleman as having spoken on that occasion. [An hon. MEMBER : Voted.] I beg pardon ; the right hon. Gentleman said that Sir John Pakington was one who spoke on that occasion. ["Voted."] I hope hon. Gentlemen will not interrupt me. In a matter in which I was personally concerned I am not likely to make this mistake. The right hon. Gentleman will contradict me if I am in error. The right hon. Gentleman named me as having "spoken" on that occasion, and he went on to name my right hon. Friend near me, and several others as having "voted." I own I was astonished at what he said. I knew that the charge of refusing toleration to my Roman Catholic fellow-subjects was foreign to every feeling of my whole life, and foreign to every word I had ever uttered in this House. I confess at this distance of time I could not remember what I might have said on that occasion, but every hon. Gentleman must have supposed that I had spoken in the sense of opposition to my Roman Catholic fellow-subjects. I have a right to expect that if the right hon. Gentleman refers to me on such a subject as this, he will not misrepresent me, or make me say that which is foreign to my nature, and foreign to every word I said. The right hon. Gentleman and I have sat in this House together for many years. We have been on friendly terms. The time was when we sat upon the same benches, and I always regretted, without questioning his honour or his motives, that the course of public events should have destroyed our political relations. I think that the right hon. Gentleman might have recollected that so long ago as the Government of Sir Robert Peel, I was one of those sitting on this side of the House who did not hesitate to rise and advocate the policy which Sir Robert Peel pursued towards the Roman Catholics. The right hon. Gentleman might have recollected that at a more recent day, when the friends with whom I acted almost unanimously followed my hon. Friend the Member for North Warwickshire into the lobby against the Grant to Maynooth, I stood almost alone. I could not concur in the policy of my hon. Friend. I spoke against his views, and almost alone I went into the opposite lobby. The right hon Gentleman might have recollected the still more recent efforts we both made to extend public education upon a more liberal footing, on which I have never hesitated to avow my desire to extend education to all classes of my fellow-subjects without reference to religious opinions. Having as a public man acted upon these principles for many years, I was surprised at what the right hon. Gentleman said of my vote in 1856. I had forgotton at this distance of time exactly what I said. I therefore went into the library and referred to the usual record of our proceedings. I found my speech. It is true that I voted —[*Opposition cheers*]. Hon. Gentlemen opposite must see the spirit of my speech, and if they can derive any satisfaction from such a cheer they are perfectly welcome to it. I trust that the House will forgive me if I read a portion of this speech, but no one likes to have his principles misrepresented. I said I desired that my vote might not be misunderstood, and I find myself reported as follows:—

> "Now, he wished to make the admission—to make it broadly and in a manner impossible to be misunderstood—that he held it to be necessary to provide for the spiritual instruction of all inmates of gaols; and he had already asserted that principle in the Juvenile Reformatory Act for the County of Middlesex. The provisions of that Bill, however, rested upon a very different basis from the grant now proposed. In providing spiritual instruction for the inmates of gaols the noble Lord must proceed upon one of two principles,—either he must appoint chaplains of the established religion of the country, and say, every unhappy person who becomes an inmate of a gaol becomes subject to the general law of the country,' and be spiritually instructed by the chaplain; or else he must take the most tolerant course, saying, 'although these unhappy people have entered here, I will do violence to no man's conscience, but will allow him to be instructed according to his peculiar religious opinions.' He wished it, therefore, to be well understood that he objected not to the amount proposed, but to the shape in which it was proposed. Were the vote brought forward in the shape suggested he would have no objection whatever to it, provided the money was distributed fairly among all classes requiring aid." [3 *Hansard*, cxxxiii. 1414].

I may have been mistaken in the vote I then gave—I may have come to an erroneous conclusion—but I hope I have convinced the House—and I am indebted to them for allowing me to read what I said—that I am not open to the imputation which the right hon. Gentleman the Member for Wilts has conveyed, that I had refused every concession to my Roman Catholic fellow subjects in the nature of providing spiritual instruction for them in gaols.

Sir, I now pass to the accusations against the Government, which are only two—one that we have failed in our legislation; and the other, that we have failed in our foreign policy. Anything more futile than the attempt to support these charges I never heard. It has been said that we failed in our Church-rate Bill. Now I submit to the House that if there is anything to be ashamed of in regard to that Bill it is rather in the manner in which it was opposed than in the way in which it was brought forward. But, however that may be, will any man gravely contend that a failure in regard to a Church-rate Bill in a former Parliament is a ground for a vote of want of confidence now? Why it is manifestly absurd. But there is another Bill which we brought forward to which hon. Gentlemen have not referred. The noble Viscount did not mention it; and nobody else has mentioned it amongst our legislative failures; I allude to the Bill which was introduced by the Solicitor General for the transfer of land. That was a subject upon which our predecessors, either from want of courage or want of ability, have uniformly shrunk; but my learned Friend in the most able manner—in a manner which elicited praise from all sides of the House, and support from every quarter of the House—introduced that Bill, which he laid upon the table last Session. That has not been enumerated as amongst our legislative failures. I cannot proceed further without noticing the exaggerated references which have been made to our Reform Bill. The noble Viscount said that nobody out of the Cabinet, with one or two exceptions only, spoke in its favour. Now, I do not deny that there were provisions in that Bill to which great exception was taken both in this House and out of doors. But if the Bill was so objectional, why was it the noble Lord was obliged to resort to that irregular Resolution as the only mode in which he could hope to obtain a majority in this House? The right hon. Gentleman the Member for Wilts spoke of our Bill as having been rejected. I corrected him at the moment. It was not rejected. The noble Lord dared not raise the issue. It is notorious that, if the question of the second reading had been taken, the second reading would have been carried. Are there no Gentlemen of eminence on the other side of the House at this moment listening to me who in private conversation declared that Bill to be a wise and liberal measure? I mention no names. I do not mean to bring up personal charges, but there are those who understand what I mean ["Name," *and cheers*]. When I say that there were Members on the other side of the House who were prepared to vote for the second reading of that Bill, and to support us upon it, but who, when they found that a party move was to be made, and that the Bill was not to be considered on its merits, said, "The issue is changed; this is no longer a discussion on the Reform Bill; it is an attack upon the Government; and we must vote with our party." These are notorious facts, and I will no longer dwell upon them; but as they are notorious facts I protest against the exaggerated language which has been held about our Reform Bill, which did make great and liberal concessions, and which you know would have passed a second reading had that been the only issue before us. Well, how does the question of reform now stand? What are your prospects under this Coalition, or whatever it may be termed, of which we have heard? Have hon. Members forgotten that the noble Lord the Member for London went out of his way within a day or two before the dissolution—perhaps he thought he might make a little political capital at the moment—but he went out of his way to give us a sketch of what his Reform Bill was to be. Have we forgotten, too, that the next day the noble Viscount the Member for Tiverton came down to the House, and in his turn went out of the way to declare that he could not approve of such provisions. This gives us a little insight of what the reform prospects of the new Administration are to be. I believe, too, that the noble Lord the Member for the City of London has said upon the hustings that he would not be bound by what he had said before. The last event that has occurred was the hon. and learned Member for Birmingham making a speech in this House last night, when he declared that he might be contented to accept a £10 franchise for counties, and a £5 or £6 franchise for boroughs;—very much the same sketch that the noble Lord the Member for London has given us, and against which the noble Lord the Member for Tiverton has protested. Now, these differences do not open to ardent Reformers a very clear prospect of what we are to have; but it does open to my mind a very clear prospect, in the event of a majority supporting this Amendment, of what the future Government of this country is likely to be. It opens to me the unpleasant and dangerous prospect of seeing a Whig-Radical Government, divided and distracted among themselves, with the hon. Member for Birmingham sitting on their flank, goading them on to democratic measures, and ready at any moment to trip them up if they do not do his bidding. And I think that the hon. Member for Birmingham has shown great wisdom in keeping out of this entanglement. I think he has consulted his own character and reputation in not sitting in the same Cabinet with the noble Viscount. I think that, after what has passed in this House it would not be for the character of the noble Viscount nor of the hon. Gentleman to sit in the same Cabinet together. I am glad, for the sake of both, to find that it is not likely to happen. But I think the proposal before us, as I have sketched it, will be humiliating to the individuals concerned, and dangerous to the interests of the country. Sir, for what is it proposed to pass a vote of want of confidence in the Government? On what is it proposed to found it? Is it on our foreign policy? Now, what part of that foreign policy is it which justifies this vote of want of confidence? We heard a good deal before the dissolution of the case of the *Charles et Georges.* ["Hear!"] Gentlemen cheer; but I suppose that was not a case for a want of confidence, or otherwise we should have had a Motion on it before this time. Certainly there was no reluctance to attack Her Majesty's Ministers, if that was such a bad case. I am reminded that we had a Motion on the affair of the *Charles et Georges*, but it was a sham Motion; it was not an attack; it was not a Motion upon which you dared to take a division, because the merits of the case were against you. Is the attack on our foreign policy in respect of the case of the *Cagliari*, in consequence of which my noble Friend Lord Malmesbury succeeded in doing that which had foiled the late Government for months, and on which my noble Friend extricated the English engineers from the dungeons of Naples, and obtained compensation for the injuries they had endured? Are we to be attacked for that? No; you know that no Government ever had more reason to be prouder of its foreign policy than my noble Friend Lord Malmesbury had of the able and successful manner in which he managed that affair. And here, Sir, let me do justice to the spirit of fairness in which the right hon. Gentleman the Member for South Wiltshire this evening alluded to Lord Malmesbury. My noble Friend has done his portion of the work of the present Government in a most able manner. He has been most unfairly and harshly treated. But while I have to complain of the language which the right hon. Gentleman the Member for South Wiltshire used in respect of myself I thank him for the fairness of his language in regard of my noble Friend Lord Malmesbury. Well, if you cannot attack our foreign policy on either of those grounds, nothing remains but the Italian question. Here I do complain—and I hope my right hon. Friend the Member for Stroud (Mr. Horsman) is in the House—I do for one complain of the gross and flagrant injustice of proceeding to condemn any Government before you have seen their papers and heard their case. I am not surprised, and I do not complain of my right hon. Friend the Member for Stroud that he should vote against us on this occasion. I think from the course of his political life he is entitled to take that course; but I wish he had not urged such false and fallacious ground for that vote—I wish he had not come down here and said he would have acceded to the justice of our claim if we had claimed to have the evidence read before our case was adjuged. If that be his plea I claim his vote. We do complain of one of the most flagrant cases of political injustice of which I have ever heard; and it requires the lively audacity which distinguishes the noble Viscount the Member for Tiverton to ask the House to take the course which, in his speech on Tuesday night, he urged it to adopt. Who was the other hon. Member who urged that course? The hon. and learned Member for Cork (Mr. Serjeant Deasy), who ought to know that no verdict should be given until the evidence in the case has been heard. There is a golden rule in this country, and not less just within this House than outside of it—never to condemn any one unheard. The noble Lord the Member for Tiverton has called upon the House to reverse that rule; but I hope the 120 new Members will not think that any political differences would justify such a gross injustice as to condemn the foreign policy of the Government in respect of the Italian question before the House is in possession of the grounds upon which judgment in respect of that matter should be given. I cannot understand why the hon. Member for Birmingham is going to vote against us to-night. He is an advocate of neutrality and peace. It was justly remarked by an hon. Member this evening that no hon. Gentleman had in this debate touched on the language which we had advised Her Majesty to use in the Speech from the Throne. In that Royal Speech our policy in respect of the Italian question is peace and neutrality. The hon. Member for Birmingham says that his policy is peace and neutrality. On what ground, then, can he vote against us, alleging that our foreign policy is one of his reasons? I think I have a right to complain unless there has been a misrepresentation of what the hon. Gentleman said at that ball the other day [*Great Laughter*]—I beg pardon, I mean at that meeting which took place in Almack's room the other day. Unless the hon. Member is misrepresented, he took occasion to say he would vote against the noble Lord the Member for Tiverton governing the country unless he expressed himself an advocate for peace. However, he finds that we are advocates for peace, and with flagrant inconsistency he is going to vote against us. I think the hon. Gentleman's views must have undergone some great and extraordinary change, for which I cannot account, if he is sanguine that the best mode of preserving the peace of Europe is to place the foreign policy of this country in the hands of the noble Viscount. Whatever may be the attributes of the noble Viscount that belief would not be in accordance with his (Viscount Palmerston's) reputation; and I should have thought that the hon. Member for Birmingham, of all men in the House, would have been the last to place confidence in his peaceful intentions.

Sir, there is another subject which, holding the position in the Government which I do, it is impossible I can allow this debate to close without alluding to—I mean the defences of this country. I think I am justified in repeating what I commenced by saying—namely, that if you are thinking of refusing your confidence to any Administration—when you are about to pass a vote of censure on a Government—surely one of the elements which in common sense and justice you are bound to consider is the manner in which they have dealt with this important matter. I feel impelled by a sense of duty to allude to it; but I have on this ground a reluctance to do so, that I shall have to allude to measures taken by myself. I beg, however, that the House will understand that I speak in no boastful spirit. If the defences of the country have been improved under my Administration of the affairs of the navy, I am indebted to the able professional men whose assistance I have had, and certainly to my right hon. Friend the Secretary of the Admiralty. How was it that the noble Viscount, in attacking our Government and by inference defending his own, made no reference to the state in which the late Government left the Royal Navy. I am not now intending to revive any controversies between those who have hitherto filled the office of First Lord and myself. I only wish to advert, in justice to my colleagues and myself, to facts which are incontrovertible. And this fact, I think, no man opposite can deny—that whatever may have been the cause—and no doubt various causes contributed to this result—when my Lord Derby's Government succeeded to office the effective strength of the Royal Navy of this country was reduced to a point which it had never reached before, and which I hope to God it will never reach again. I have had occasion to say before to-night that fifteen months ago, when we came into office, we had only twenty-five effective line-of-battle ships. Of course I mean ships with engines and screw propellers. It is true that there were three more afloat taking in their engines. Therefore, if you like you can compute the entire number as twenty-eight line-of-battle ships. That was not a point to which the navy of England should have been reduced. It was a state of things which had never existed before, and which Her Majesty's Government, since the time it came into power until this hour, have devoted their best energies to redress. Is this a reason why you will not trust us? Is this the reason why we are to be condemned? What is the state of the navy now? At this moment we have now, as then, three line-of-battle ships taking in their engines. Without these, there are thirty-seven effective line-of-battle ships. Counting those three, as I was willing to count the three in the other case, we have forty effective line-of-battle ships, instead of twenty-eight as was the case fifteen months ago. I called on Parliament fifteen months ago to enable me to remedy the existing deficiencies. The House of Commons responded liberally to that appeal. The consequence is, that at the end of the present financial year you will have fifty effective line-of-battle ships afloat. I told you three months ago that we should launch fifteen ships in the course of the present financial year, including those undergoing conversion. We have added two more to that number, making seventeen, which will bring up the total number by the end of the financial year to fifty, or double what we found when taking office only fifteen months ago. I ask, again, is that a reason why we are to be condemned? If we are to be so condemned by triumphant faction here, do you think the country will respond to such a decision? But let me turn to another branch of the subject. If ever a Government exposed itself to attack, the present Government has done so. We have assumed with reference to this matter as grave a responsibility as any Government that ever held the reins of power in this country. Soon after Parliament was dissolved—[*Cheers from the Opposition*]—aye, I know what that cheer means, and I do not shrink from the issue which is raised—soon after Parliament was dissolved that war, which we had exerted every effort to prevent, and which up to the very last we entertained a sanguine hope that we could prevent, unhappily broke out. Her Majesty's Government had therefore to consider how they could best provide for the defence of this country, and we took a most unusual course. The hon. Member for Birmingham last night told his allies on the opposite benches that the policy of Liberal Cabinets had been "feeble and paltering;" but I must say that the policy of the present Government, at least with reference to the point to which I am now adverting, is free from that charge. The Government, on their own responsibility, adopted three most important measures. We advised the Crown to issue an Order in Council for the addition of 10,000 men—2,000 marines and 8,000 seamen—to our naval forces. Another measure we adopted was one adverted to last night by the right hon. Baronet the Member for Carlisle—I mean that of offering a bounty to sailors. Having decided on adding 10,000 men to our naval force, we decided on raising those additional men by bounty. And we added no less than 1,300 shipwrights to our dockyard establishments. I was asked the other night by an hon. and gallant Admiral opposite whether we had now as many shipwrights in our dockyards as we were able to provide with work. In answer to that inquiry, I beg to tell him that we have added to our dockyard establishments as many shipwrights as can be usefully and economically employed. I think the House will admit that in taking this course we have assumed a most unusual responsibility. Besides adding 10,000 men to our naval forces, and 1,300 shipwrights to our dockyard establishments, we have done what I believe no Government has ever done before, by offering a bounty at a time when this country was not at war; and I will tell the House frankly that that bounty is higher than has, I believe, been offered on any previous occasion. Well, I am prepared to vindicate every one of these measures. I say that this is no feeble and paltering policy; it is right or it is wrong. I say that such a policy raises this issue—either we acted wisely and prudently, consulting the best interests of the country, or we have exercised a more reckless abuse of power, and have incurred a more unjustifiable and extravagant outlay of public money, than could ever be charged against any Government. In the one case we ought to be censured and condemned by this House; in the other event, we are entitled to the approval and thanks of the country. These alternatives cannot be questioned; and I ask, therefore, are we open to condemnation; or are we entitled to national gratitude? There can be no middle course with respect to so unusual a policy. Are we to be condemned, or are we to be thanked? If we are to be thanked, what is the meaning of the vague and muttered attacks which have been made upon our foreign policy and our domestic legislation? We have done right or wrong; I ask you to meet us fairly and openly, and I challenge the issue not only here, but out of doors. Charges have been made against us in connection with our domestic legislation and our foreign policy; but why have you not grappled with us in a point where we are open to attack? No, you know that we were right. You know well that we have done our duty, and that in this respect we are not open to attack. Who has questioned our conduct? It is true the hon. Member for Birmingham says we have pursued a most unfortunate course; but no one has supported his opinion. He said further that our policy was dictated by hostility to France. Now, I disclaim that idea altogether. I deny that our policy was intended to mean, or does mean, anything like a menace to France. I agree with those hon. Gentlemen who, during this debate, have upheld the French alliance. That alliance has been productive of great benefit to both nations and to the world. Long do I hope that it may last, and I believe that the best means of securing its continuance is by showing that England is prepared for events. I believe the hon. Member for Birmingham would stand almost alone in his opinion that the present state of Europe does not justify the Government in placing this country in a position in which her neutrality may be effectual. The right hon. Member for Carlisle (Sir J. Graham) last night used language upon this subject which I confess I cannot understand. I value his opinion, which carries authority upon such a question, but I should like to know what he really meant by his reference to our policy. He said, referring to the course pursued by the Government, that "public necessity may have justified these measures," and he added "I am not prepared to deny that they were necessary." I conceive that to be an admission on the part of the right hon. Baronet that our policy was justifiable. But he went on to condemn entirely the bounty we had offered, which he described as impolitic and imprudent. I must be allowed to say that these two opinions are irreconcilable with each other. If our policy was necessary the bounty was necessary; and I tell the right hon. Gentleman that without that bounty we could not have carried out our policy. The right hon. Gentleman shakes his head, but I am very happy to inform him that he fell into some very decided errors upon this subject last night. One of these errors was the opinion he expressed that the offer of a bounty might be fatal to the continuous-service system; and he went on to argue, "How can you suppose that any men will enter for continuous service if they know that at any moment a bounty may be offered, of which, if they are not bound by continuous service, they may take advantage?" I am happy to inform the right hon. Baronet that he never fell into a greater mistake. The continuous-service system—which the right hon. Gentleman, much to his honour, brought into existence—has been in operation ever since 1853. In the first year the average number of men who entered for continuous service was 1,150 per month; in 1855 the number fell to 800 per month; in 1856, to 600 per month; in 1857, to 400 per month; and in the last year, 1858, the average number was only 300 per month. The bounty was offered at the begining of May, and during the last month I am happy to inform the right hon. Gentleman that no less than 1,593 men have entered for continuous service; while, since the 1st of June up to the present time, 477 men have been received for that service. The right hon. Gentleman has, therefore, been entirely mistaken in his anticipations on this subject, and the bounty which he thought would put an end to continuous service has proved to act as a stimulus to that service. I may now tell the House what was the necessity for this bounty. The House will recollect that when I moved the Navy Estimates I proposed to raise 2,000 more seamen than we had in the service during the preceding year, and in the whole month of April the number of seamen was only increased by six. I do not mean that we only entered six men, but after striking a balance between the number of men who left the service and those who entered it the balance in our favour was only six. Now, could we have gone on under such a system, with war raging in Europe, and with a pressing necessity for the increase of our naval defences? We resorted to the bounty, and intead of an addition of six men to the service in April, we had in the month of May an addition of 3,000 men, while up to the present time the bounty has given us rather more than 4,000 men.

SIR CHARLES NAPIER: How many able seamen?

SIR JOHN PAKINGTON: I am not sure that I can say off-hand what is the exact number, but the proportion of able seamen is as nearly as possible 20 per cent. The right hon. Gentleman fell into a slight error last night. The bounty for landsmen is not, as he said, £3, but only £2; and I am happy to be able also to state, that those who have entered as landsmen, and those men of the second-class ordinaries when once they are on board, are men of the best description, the latter being either fishermen or boatmen, accustomed to the sea, though not men-of-war's men. I am glad to say that I have the best report of the crews of the new ships, and several officers have told me that, though they are now undisciplined and young crews, yet that they present the finest materials, and will make the very best men-of-war's complements. The gallant Admiral asked me the other night what is now our force? I tell him that our force at this moment is twenty-four line-of-battle ships and twelve frigates in commission. That force is divided between the Mediterranean and the Channel. We are about to increase the Mediterranean portion, but that does not affect the general statement. The gallant Admiral also asked whether our force of men-of-war in commission exceeded that of the French. I look rather to the positive than to the comparative force of England at this moment. I do not want to enter into any comparison with France, which is not the only naval Power that we have to consider. But I will not refuse to answer the gallant Admiral's inquiry, and I tell him our force of men-of-war in commission is now considerably greater than that of the French. Though our present force is twenty-four line-of-battle ships and twelve frigates, we do not intend to limit ourselves to those numbers. Let me now ask the hon. and gallant Admiral one plain question. What course is he about to take to-night? Is he going to take the line of a frank sailor or of a disingenuous partisan? He told us the other night with perfect truth—and I am convinced the people of this country will agree with him—that these party questions, whether A or B are to sit on these benches, are of little importance; and whether you shall fix your borough franchise at £10, £8, or £6, is nothing compared with having the defences of England what they ought to be. He knows what those defences were when we took office. He knows what they are now. And, Sir, if there be one man alive to whom, from all his language, all his known opinions, from everything he has said and done in this House, I have a right to appeal with perfect confidence that in consistency and honesty he should support the Government who have done all this for the defence of the country, that man is the hon. and gallant Admiral.

I thank the House for the patience with which they have listened to the observations which I have felt it my duty to address to them. I hope and trust that the spirit in which they have been spoken will not be misrepresented or misunderstood. I have felt it right and due to my colleagues to state the efforts we have made for the defences of the country. It may suit your purposes to banish these considerations and try to place this issue on another ground. But the common sense and common feeling of the country will be against you. At such a moment as this, when war is raging in Europe, when no living man can tell how soon the spark may reach this country, it is absurd to say, that in judging of the conduct of the Government you can altogether exclude this important subject from your consideration. Hon. Gentlemen opposite have tried to shun it, but it is my duty not to allow them to do so. Sir, I feel that I have only done my duty in asking the House of Commons to support a Government which has made these efforts. For myself I am indifferent to the result. You may decide this question as you like. If the majority is for the Amendment, I shall have the consolation of knowing that I shall hand over the Navy of England to my successors in a very different state from that in which I found it: and I shall have the further satisfaction of feeling that whatever party discipline and party efforts may lead you to do in this House, if the majority to-night support this Amendment, the sentiment of the British public will be that that decision is unjust.

LORD JOHN RUSSELL: Sir, I must say that the language which the right hon. Gentleman who has just sat down has applied to those who sit on this side of the House is, considering the circumstances in which he stands, a little extraordinary. The Ministers advised Her Majesty to dissolve Parliament, at a critical moment, and in the midst of most important business, to try this question,—whether Her Majesty's Ministers have or have not the confidence of Parliament and the country. The Parliament is accordingly dissolved, the elections take place, Gentlemen are returned here; and they immediately propose to put to the test the question which the Government themselves declared was the point at issue. It was not, as has been observed, the most favourable ground for them to occupy; but the challenge having been thrown down to them they are ready to affirm that they have not confidence in Her Majesty's Ministers: whereupon the right hon. Gentleman calls us a faction. Why, what did the right hon. Gentleman expect? Did he mean that the whole country should give but one answer to the question put to it? Did he mean to say that their wisdom was so self-evident that nothing but faction could induce men to demur to it? He seems to me, Sir, to have a very high estimate of his own and his colleagues superior merits. Still, I should think, blind and mistaken as we may be, it may be permitted to this House —it may be permitted to the Members of what the right hon. Gentleman calls a triumphant faction, to take a different view from that which he has formed of the merits of Her Majesty's Government. The right hon. Gentleman talked of the charges which have been preferred against the Government. Now, I do not hold that it is necessary to make any charges whatever in order to establish the validity of this Amendment. I thought that point had been settled for ever in a few short words from Mr. Burke, when he said, "the House of Commons was not only a Court competent to criminate, but also a council of weight and wisdom to advise." If, therefore, this House be of opinion that in these critical times the destinies of the country are not fitly placed in the hands of Her Majesty's present Ministers, it is perfectly competent for us to declare that opinion. When Mr. Stuart Wortley in 1812 proposed an Address for a strong and efficient Administration, the Ministry against whom that Address was moved had a week in order to produce the measures and submit the policy which they recommended. But this was done under the consideration that the men then at the head of affairs were not fit for the emergency with which they had to cope. So much, Sir, for the constitutional view of the propriety of this Motion. I confess I have been a little surprised at the language which has been held by one or more Members on this side of the House, who spoke of the present Ministers as if they had only within the last few days entered upon office. "Give them a fair trial," it is said: "Let us know what are their measures and their policy!" Why, Sir, we happen to know what their measures are. For more than a year we have seen, weighed, and considered the measures brought forward by Her Majesty's Ministers. But before I refer further to these measures, let me say a few words respecting the manner in which they acceded to power. I think I am justified in doing so, because, in reading the speeches of Gentlemen who appeared as candidates on the Ministerial side, a great portion of whom have been returned to this House, I always found that the Resolution which I had the honour to move and the satisfaction to carry in the late Parliament was called "a factious Resolution." As far as I can discriminate, I should say that any man, or body of men in this House, bringing forward a Motion they think calculated to promote the public benefit, and useful to the country, however mistaken they may be, though it may be a party Motion, it can hardly be called a factious one. On the other hand, I should say that those who oppose a measure of which they approve—who for the sake of party objects opposed a measure they are satisfied is a wise one—those men, indeed are much more deserving the epithet "factious." Now, what was the occasion on which the present Ministers came into office? A Bill has been proposed by the noble Lord the Member for Tiverton, then at the head of the Government, that had already been approved and suggested by the noble Earl now at the head of the Government. On the first day of the Session Lord Derby said such a measure was necessary; and when the noble Lord the Member for Tiverton brought it forward it was supported in a speech of great ability by the present Chancellor of the Exchequer, who said it was necessary to maintain our friendly relations with France. I remember that the right hon. Member for Portsmouth (Sir Francis Baring) told me he was convinced by the statements and arguments of the Chancellor of the Exchequer. Well, the measure thus introduced, and thus supported, on the ground of the necessity of maintaining friendly relations with France, that measure was made the occasion of defeating the Government; it was defeated on the measure of which the right hon. Gentleman opposite and his party had been such ardent supporters. Conduct more factious—conduct more treacherous on the part of those who succeeded to office — there could not be. Then the Chancellor of the Exchequer has told us very shortly, as if it was a sufficient reason, that two-thirds of the late Parliament being opposed to the Government, it was no wonder their measures did not succeed. You would suppose from this, that nothing but prejudice and party violence caused the rejection of the Government measures. But was it so? First, there was their India Bill; on that their course was exceedingly simple and plain. They agreed to wave their own opinion and to adopt the Resolutions passed by the House; and they brought in a Bill founded upon them. Was that Bill opposed by the House? No; but their own original Bill was so strange, so imperfect, so new in its provisions that not only every man in the House, but every man in the streets laughed at and ridiculed it. By one of its provisions some of the members of the Council of India were to be chosen by the £10 householders of certain large boroughs. I heard it remarked at the time that it would have been a great deal better and more just to propose that the admirals of the fleet should be chosen by the £10 householders of the naval ports; they might possibly choose good officers; but that the electors of such towns as Manchester and Belfast should elect members of the Council of India was such a strange imagination that none but the present Ministry could be capable of it. Another provision fixed the appointment of certain members, and limited it so that sometimes only a distinguished military officer of the Madras Presidency could be nominated when an able civilian was required, or when an eminent lawyer from Madras was at hand, a military officer of Bombay must be taken. The Bill would have compelled the perpetual appointment of inferior men, when men of capacity were available. I state this because the right hon. Gentlemen have assumed that party motives only caused the rejection of their measure. I will now say a few words with respect to their Reform Bill. It was equally fanciful and inefficient in its provisions. As I have studied the question of reform for a great number of years, and I consider that there may be three kinds of Parliamentary Reform, I trust I may be allowed to express my thoughts upon that subject. I consider that there may be three kinds of Reform measures introduced. There may be one measure of reform that diminishes the popular power ; there may be another measure so complicated in its provisions as to become somewhat like those ingenious problems they give to boys at school, in which, if you add so many, subtract so many more, and multiply by another number, you find the number produced is exactly the one originally stated. So, by giving the franchise to a great number of people, and taking it away from a great many others, what you arrive at is no change at all. And there may be a practical measure of reform, that will add to the popular power, and increase the strength of the House of Commons by the addition of those votes given to it. Now, the Reform Bill the Government introduced had much of the first character, something of the second, and nothing at all of the third. It was a measure that, had it been passed in the shape in which it was proposed, would, by the time it had been ten or twenty years in operation, have much diminished the popular power as represented in this House. Take the great contest that lately occurred in the West Riding of Yorkshire ; it had all the character of a great, popular, English contest; but, instead of that, under the Reform Bill of the Government the West Riding would have had six Members, so arranged that four would have been sure to be on the Conservative side. Then, taking away the freehold votes, the Bill would have cancelled, would have destroyed, a great part of the Liberal element in the county; of the voters that would have been added, many would have been dependent, and never voting on the Liberal side. ["Hear, hear!"] Yes! I say boldly the Liberal side; they never would have voted for any increase of the civil and religious liberty of the country. If any person calculated the future working of the Government Reform Bill, he could not doubt that in the course of ten years, instead of one Old Sarum, we should have had twenty or thirty. That is an argument which was used during the debate on the Bill ; and even the Solicitor General, ingenious as he is, did not attempt to answer it; he only said it was a matter that might be considered in Committee; but my belief is, if that Bill had once got into Committee, it would have passed in the shape in which it was proposed, and would have gone far to repeal the Reform Act of 1832, and diminish the power of the people to send representatives to the House of Commons. That was the measure which we are now blamed for having defeated by the Resolution I moved; and next to the satisfaction I feel in having taken a large share in carrying through the Reform Bill of 1832 is that I experience in having defeated a measure which, with much that was plausible in appearance, was evidently intended by its framers to repeal the wholesome provisions of the former Act. I now come to that step of the Government which I consider most perilous, and which the right hon. Gentlemen on the Ministerial bench ought to consider exposes them to great responsibility — I mean the dissolution. Her Majesty's Ministers chose to dissolve Parliament when war was impending over Europe, when they must have known it was a question of weeks, and might have been a question of days. For my part, I think there could be but one excuse for that dissolution, and that was the grave objections Her Majesty's Ministers stated they felt to any lowering of the franchise. The noble Lord the Secretary of State for India (Lord Stanley) declared it would destroy the influence of the middle classes. The right hon. Baronet the Secretary for the Colonies (Sir E. B. Lytton), in a speech of great force and eloquence said, "it would place capital and industry at the command of impatient poverty and uninstructed numbers," and that this would be a great calamity if it took place. The right hon. Gentleman the Chancellor of the Exchequer stated the case in somewhat different terms; but I think much to the same effect. He said, that if the franchise were lowered, you would then have a House of Commons which would be ready to sanction every extravagant expenditure, but never would consent to taxes in order to furnish the means for that expenditure —a House of Commons that would enter recklessly and rashly into war, and yet afterwards be prepared to agree to an ignominious peace. Now, these are grave considerations, and I can imagine a Ministry which entertained such apprehensions saying, "This danger is so great, this change in the constitution would be so perilous, as it would put the whole of the property of this country into the hands of uninstructed numbers, and incur the risk of wars recklessly entered into and ignominiously concluded, that we will put it at once to the country whether they would approve of a Bill with provisions so dangerous as these." That might have been a reason for dissolving the Parliament and asking the opinion of the people; but, to my infinite surprise, I, who had supposed that they might have an excuse to give, find that now that Parliament has been again assembled, after they have used every means in order to get a majority of their own party returned to this House, Her Majesty's Government stating that they have no objection to this very change. Then, I say, there was no excuse for the dissolution. They were satisfied even with a Resolution of an hon. Gentleman who has not been again returned to this House, Mr. Stuart Wortley, which was to the same effect as mine, but in terms more civil to the Ministry. If they were satisfied that they could adopt the substance of that Resolution, that it was not necessary to transfer freeholders from the counties to the boroughs, and that it was possible for them to make a great reduction in the borough franchise, I say it was their bounden duty—their duty to the Sovereign, to Parliament, and to the country—to accept such a settlement of the question, and not to dissolve Parliament and incur the dangers which they did incur. Many of those dangers, no doubt, they have escaped. While these Powers were going to war, some demand might have been made upon this country which they could not in honour advise the Queen to accept. It might then have been necessary to send a Message to Parliament for that purpose. No Parliament was sitting. That danger they incurred. They also incurred that great responsibility which the right hon. Gentleman the First Lord of the Admiralty has just stated. They thought they were compelled to add considerably to the naval force, and to offer a bounty by Royal Proclamation without the advice of Parliament. I feel myself that that measure was perfectly right. But the right hon. Gentleman takes great credit for having assumed that responsibility without the advice of Parliament. That might have been very well if the necessity had arisen when Parliament had been prorogued in the month of September, and there had been the difficulty of bringing Members together before a certain time; but when we consider that the absence of Parliament was their own act; that the necessity was of their own creating, the merit of having added to the naval force is counterbalanced, and more than counterbalanced by the guilt of having dissolved Parliament under circumstances like these. ["No, no!"] Some hon. Gentlemen seem not to comprehend the argument. I have stated that if they could not agree to support the Resolution that I proposed it was then competent to them to put the question to the country and to have their decision upon it; but they being prepared to make an alteration in that respect, and their only object in the dissolution being to strengthen their own party and not to have a good Reform Bill, their conduct is entirely inexcusable. I come next to the consideration of their management of foreign affairs. The right hon. Gentleman claims great credit for the Government for the mode in which they settled the *Cagliari* question. I remember perfectly well what occurred in this case. An hon. Member of this House asked a question with regard to what was intended to be done in that matter. The Chancellor of the Exchequer answered that the question had been concluded by the preceding Government, and, while he expressed no very great feeling for the English engineers, he expressed his great satisfaction that no uncivil word had been used with respect to the conduct of the late King of Naples. And there it would have remained, but my noble Friend the Member for Tiverton said the question had not been concluded, and thereupon the right hon. Gentleman was persuaded to take some further measure on the subject. Acting upon the suggestion of this House, the Government—no doubt promptly enough and ably enough—took the necessary measures and obtained the release of those engineers. But that shows, among other instances, the very great danger of leaving the management of our foreign relations in the hands of these Ministers during the recess; because if that question had not been asked in the House of Commons these engineers would have had to remain in a dungeon. That was evident from the answer of the Chancellor of the Exchequer himself. During the recess arose the question with respect to the *Charles et Georges.* The right hon. Gentleman is very triumphant upon our not having moved a vote of censure upon their proceedings in that matter. I must say I think we showed great forbearance in that case, because language more unbecoming a British Minister than that used by Lord Malmesbury upon that subject was never heard. There was no question whether the demand was just or unjust, but the advice given by Lord Malmesbury to Portugal was,—Submit to this, or you may have worse—meaning, of course, you may may have Lisbon occupied, your fleet destroyed, and your country invaded; therefore submit to anything that may be asked. It was not a question upon which we could advise Portugal to go to war—that was quite clear—but the advice we had to offer might have been of a more manly character—it might have been more becoming to this country to give, and to Portugal to accept. I arrive now at a most important and serious question—namely, the cause of the outbreak of war in Italy. I think it would be very unfair to Her Majesty's Ministers if we were to presume that they are open to any blame with respect to the manner in which they have conducted their negotiations for the preservation of peace, and, for my own part, I am quite willing to assume that they have made sincere and unceasing efforts—whether they made a mistake or not I will not say—for the preservation of peace. I have also, I must say, some belief that it could not have been possible for any Government to preserve peace between Austria and Sardinia. Perhaps the House will allow me to go somewhat into that question; but before I do so I cannot but take notice of a reference made by the right hon. Gentleman the Attorney General for Ireland with respect to some events that took place in 1848. Now, the Attorney General for Ireland seemed to me rather to avoid the case of Government—to be rather unwilling that this House should fix its attention upon the merits and demerits of the Government. He therefore travelled over every conceivable topic not connected with the question under discussion—over everything that happened years ago, for the purpose apparently of diverting attention from the question whether or not the Government are now entitled to the confidence of this House,—just as birds endeavour to divert attention from the nest in which are their young. The right hon. Gentleman, though I don't see what it had to do with the matter before the House—attacked the conduct of my noble Friend, and that of the Government over which I had the honour to preside, with respect to the offer made by Austria in 1848 to give up Lombardy. No doubt that offer was made. But the right hon. Gentleman seems to have forgotten or omitted one part of that transaction. At that time not only was Milan and the larger part of Lombardy freed from the Austrian troops, but Venice was in the hands of its own inhabitants, who had shaken off the Austrian yoke. They had declared their independence, and were ready to maintain it. The proposal to the Government of Great Britain was that we should interfere not only to dispose of Lombardy, but to replace an Austrian Archduke with authority in Venice. But how could a British Government, having no immediate concern in these transactions, not being a party to the war—how could they have interfered to destroy the independence of Venice, or to sanction in any way the subjugation of Venice, in order to increase the territories of the King of Sardinia in another part of Italy? For my own part, it has always appeared to me that one of the foulest transactions in modern European history was that assumption of Venice by Austria under the Treaty of Campo Formio. It is not a singular opinion, for I find that M. de Montalembert, I think in the pamphlet for which he was prosecuted, says that whatever reproaches you may cast on the diplomacy of England, she has nothing so bad to reproach herself with as the handing over of Venice to Austria by the treaty of 1797. By that treaty three millions and a half of people, who had been independent and in alliance with Austria, with whom they had contracted numerous treaties, with whom they had combined for various purposes, were transferred, without any will of their own, to the Austrian Government. I say that this transaction was only second in infamy to the partition of Poland. The proposal to us was that Venice, having freed herself by her own exertions, the British Government should use its influence to replace her under the Austrian rule; and this is the proposal which the right hon. Gentleman is so angry with us for rejecting. The present condition of Italy seems to me to be this:—On the one side we have the treaties of 1815, which gave Lombardy and Venice to Austria; but Austria was not entitled by that treaty to any other part of Italy. Has she confined herself to the rule of those territories? Far from it. In the same year 1815, she made a treaty with the King of Naples to the effect that he should not introduce into his kingdom any changes or any form of Government different from the form of Government which was established in the Italian possessions of Austria. At a later time she occupied the Roman States and Tuscany also; and, according to a letter addressed to me by a very eminent Italian, it appears from the archives of Turin that Austria was so determined not to allow any improvement in the Government of Italy, that the Austrian Minister being asked what he would do if the King of Naples should of his own accord grant a constitution to his subjects, his answer was, "Then we should make war on the King of Naples." What happened in Tuscany in 1849? The people of Tuscany had been led by those wild demagogues who are followers of Mazzini to proclaim a republic; but, afterwards, they restored of their own choice the authority of the Grand Duke; and having appointed a provisional Government, they sent a delegation to the Grand Duke to say that they were ready to receive him back, but expected him to govern according to the constitution which he himself had granted. He answered by different letters, copies of which I have, and by Proclamation, that he would return to Florence; that he thanked those who had restored his power, and that he meant to govern according to the constitution; and that a constitutional monarchy was what he intended to establish in the Grand Duchy. It was already the law there. No doubt, the Grand Duke, who is a mild Sovereign, would of his own nature have governed according to the constitution; but at this time a division of Austrian troops marched into Tuscany, his promise was violated, and from that time until the flight of the Grand Duke the other day, there has been no question of restoring the constitution. These things account for the anger and the resentment of the Italians at Austrian interference. It is not merely, as the hon. Gentleman who moved the Address appeared to think, that Austria holds her possessions just as Her Majesty holds her different colonies; it has been her attempt from 1815 to the present day to govern the whole of Italy, to make the Italian Sovereigns her viceroys, and to make the laws of Italy conform to the law of the armies of Austria. That is the case of Italy on the one hand. Let us see, now, what is the case of Sardinia, on the other side. At a late period Sardinia established her own free constitution. Had she not been tempted to do otherwise, she might have been satisfied with enforcing her own laws and enjoying her own free assemblies, her own free press, and her liberty of conscience, which is unexampled in other parts of Italy. She has not been satisfied with that. The temptation was a natural one; but certain it is that for the last seven or eight years the persons who came from other parts of Italy to present addresses to the King and his Ministers on behalf of the liberty and independence of Italy—who subscribed to the cannon of Alessandria, hoping that one day or other they would be the defences of the independence of Italy—were listened to and received with favour; and so there has grown in every State of Italy—in the Roman States, in Naples, and in Tuscany—a party attached to Sardinia, and looking to Sardinia as the liberator of Italy. The temptation might be very great, the enterprise might be very glorious, but it was quite impossible for Austria to consider these things as otherwise than provocations and attempts to destroy her power in Italy. According to my mind, the pretensions on both sides were unfounded, but much more detestable on the side of Austria, because her attempt was to destroy all liberty and to extinguish all expression of thought in Italy, while the object of Sardinia, though, perhaps, mixed up with some motives of ambition, was the liberty and independence of Italy. She went, however, beyond her international duties. She had no right to do what she did; above all, she had no right to raise forces in her own kingdom from volunteers, or perhaps from the conscripts and recruits, belonging to other States. At a moment most fortunate for Sardinia she obtained the support of France; and from the moment she obtained that support—I cannot tell in what form, but I know pretty well the date—her conduct became less regulated by her international duties, she proclaimed more openly her sympathy with the sorrows of Italy; and from that time I think it became evident that, sooner or later, relying on the support of France, she would engage in an armed contest for the independence of Italy. During the last Session of Parliament neither I nor my noble

Friend the Member for Tiverton did or said anything to increase the chances of war; on the contrary, we said everything that could be favourable to the maintenance of peace. I certainly doubt myself whether any ability on the part of Her Majesty's Government would have availed to preserve the peace of Europe. It was obvious that the moment would come, sooner or later, when these two great Powers would be opposed in arms to each other. But I come now to consider what is to be our policy for the future, and on this subject there is a general agreement, in words at least. Everybody is for neutrality; everybody is for maintaining peace; but I own that I have no confidence that the present Government will be able to maintain it. In the first place a deliberate speech was made in the House of Lords by the Earl of Derby, on a most solemn occasion, when he was to declare the policy of the Government, and I find that he said—

> "If war breaks out, whatever may be the consequences, our neutrality, as long as it may last, must be to a certain extent an armed neutrality, enabling us to take our part on that side, whatever it may be, which the honour, the interests, and the dignity of the country may indicate as best deserving our support."

Well, but if Lord Derby intended peace, why was he to take any part at all? There was war between France and Spain in 1823; Mr. Canning declared neutrality, and that neutrality was preserved to the end. There was war in 1848; the Government of the day declared neutrality, and that neutrality was preserved to the end. Why, then, should we suppose—because that seems to be the supposition—that when we are fully armed, we shall inquire which side it is which the honour, the interests, and the dignity of the country call upon us to support? I know that a few days afterwards Lord Derby denied that that was the meaning of what he said; but no man expresses himself more clearly, or with more precision, than Lord Derby; and if he used the words, what other meaning can be put upon them? And why, I ask, should we take either side; why should we take any part in the contest? What I think would be right would be that we should be sufficiently armed for our own defence; and so that if the two sides, or indeed one of them, asked us to interpose either our mediation or our good offices we might be enabled to state what were the terms which appeared to us fitted to the circumstances of the times, and likely to lead to a lasting peace. I can well imagine, if the Government were in full possession of the confidence of this House and of the country, and if they were worthy of that support, that such advice would be listened to, and that the two parties, weary of bloodshed, would be glad to accept terms from an impartial mediator. But I do not expect that such terms will be accepted from the present Government. I declare at once that my belief is that they are not disposed—and indeed I might take it from the words of the Under Secretary for Foreign Affairs—to maintain that intimate alliance with France on which our influence with France must depend. I understood certainly, and so did my right hon. Friend near me (Mr. Sidney Herbert), the hon. Gentleman to find fault with my noble Friend for his declaration that intimate alliance with France was the true policy of this country. My noble Friend did not say that we should not be on the most friendly terms with Austria, and I am sure he meant no such thing. We ought to be upon the most friendly terms with Austria; but, depend upon it, you will have no weight in the councils of France unless your advice can be said to consult the honour and dignity of France as well as the honour and dignity of Austria. These are questions which are not only unpleasant, but which it is almost impossible to debate fully in this House. There are some Gentlemen, I know, who think that Lord Derby is the perfection of wisdom, and that Lord Malmesbury is a very near approach to it. I, for my own part, have not that opinion. I consider, from all I hear, that the alliance with France is very much weakened, and that we have not that weight in Europe which the Government of this country ought to have. And therefore, with a view to give us our proper weight—in order that our neutrality may be respected and our voice listened to in the councils of Europe—I am ready to vote want of confidence in the present Administration. Then, Sir, with regard to the question of reform, knowing what the late measure of the Government was, I am not disposed to wait till February next in order to see them introduce some other measure, changed indeed in appearance, but which will, no doubt, have some of those counterbalancing weights intended to take from the people on the one side what it proposed to give upon the other. What I should like to see is a fair and sound measure introduced, if I do not say in the present Session, I should still say in the present year; and I see no reason why a Reform Bill should not be passed in the course of this year. My belief is that it would be for the public welfare to have that measure for the amendment of the representation disposed of singly and separately; and then, in the usual Session of Parliament, those important questions of supply and taxation and the like might be considered in the ordinary course. An hon. Gentleman asked me for the details of my Reform Bill. He did not ask the right hon. Gentleman, who never was a Reformer till this year, what were the details of his Bill; but he asked me, who have been a Reformer for more years than I like to mention, to "condescend to particulars," as the Scotch have it. I can only say that the outline which I gave in the last Parliament seemed to me to be a fair outline of a measure of reform, but what the precise nature of the franchise may be, and the exact extent of the representation, of course, until the present Government disappear from the scene, it is not for me to say. What I maintain is, that as soon as such a measure can be framed, and as soon as the important questions with regard to the navy and finance are disposed of, an early opportunity ought to be taken for discussing that subject. But I cannot leave the question of the merit of the Ministry without answering the appeal which was made by the right hon. Gentleman at the head of the Admiralty. I am quite willing to admit—and I think it is a bright spot in the conduct of the Administration—that the energy with which he has increased and strengthened the navy is worthy of the utmost praise. I wish that he had not mingled his performance with either so much laudation of himself or so much reproach to his predecessors. The case was urgent, the occasion required it, and I think that the manner in which the right hon. Gentleman has conducted his Department does give him a claim to the gratitude of his country; and no political difference with the right hon. Gentleman would prevent my making that admission. With regard to the allusion of the Chancellor of the Exchequer to my noble Friend who proposed the Amendment, I must say that I think his attack was both gratuitous and unfounded. The right hon. Gentleman said that my noble Friend represents a confederation of great families, and that therefore his Amendment ought not to be entertained. No doubt if the argument had been used in 1759, it would have had its due application; but I cannot conceive that any one should now undertake the formation of a Ministry who would not admit into it men of talents and fitness, from whatever part of the House or of the country they might come. There is in this country a large body of men, divided, no doubt, on many points, but who have nevertheless been instrumental in all the great changes that have taken place. Among those is the Whig party, who are naturally the objects of my predilection, There are also the followers of Sir Robert Peel; and there is a party, also, of gentlemen of advanced opinions, who have acted along with us in the great question of Catholic Emancipation, in all matters pertaining to religious liberty, in obtaining free trade, and the repeal of the corn laws. I find all these parties acting together, and by a majority carrying those measures; while it is equally certain that the present Government are the representatives of a party which has opposed all those measures, and which in 1831 did their utmost to oppose a reform in Parliament. The right hon. and learned Gentleman the Attorney General for Ireland, among other allusions to that which was not immediately in question, mentioned a phrase of mine, borrowed from Mr. Fox, as I stated at the time, "a miserable monopolizing minority." The repetition of that phrase recalls to me the time when the Protestants of Ireland were properly designated by that name. I remember perfectly well when they stated that it was impossible to allow a Catholic to enter into a corporation without danger to the constitution, and when the giving a silk gown to an eminent Catholic barrister was an advance in liberality which they looked upon with alarm. Those days have happily passed by, and I am glad to find the right hon. Gentleman now uses more liberal language. I quite agree with my right hon. Friend who spoke to-night (Mr. Sidney Herbert), that so far from wishing that the Roman Catholics should support none but those of the party with which I am connected, I shall be glad to see them give their votes to Conservative gentlemen who are respected in their neighbourhood, and entitled to their confidence. I think these things tend to break up those lines of separation—those lines of ill-will—by which persons of different religious opinions in Ireland were formerly separated. There was a phrase of mine which, being misreported, gave offence to Roman Catholics. It was said that in a speech of mine in the City with regard to these affairs in Italy, I had said that the Austrians had maintained in Italy an oppressive Government and "a benighted religion." Those were not my words. What I said was, that they had maintained oppressive Government and benighted rule. I was thinking of means used to prevent any advance of knowledge or communication of instruction, and to prevent any liberty in Italy. I was not at all considering religion. Indeed, I could not well have been speaking of religion, because the religion of Piedmont and Austria is the same. For the reasons which I have stated, I think that the House of Commons will be fully justified in coming to a vote of want of confidence. The Ministry have for a year introduced measures which not only have not met the approbation of Parliament, but which by the consent of the great majority of the country were not deserving the approbation of Parliament. Their weight in the Councils of foreign Powers is not such as gives to this country the influence which it ought to have. It is supposed—and I believe justly supposed—to be partial in the contest which is now going on. I may, perhaps, be allowed to say a word more, which I should not have said without what I think sufficient provocation. It is upon the question whether or not the person at the head of the Government is the person who deserves, or is fit, to preside over the Councils of this great country at a time of peculiar difficulty. I am told that the noble Earl (the Earl of Derby) for thirty-two minutes entertained another Assembly with an account of my political career. He published it afterwards in a pamphlet as a sort of election address. I have read neither the speech nor the pamphlet, but I observed that no sooner was the present Parliament assembled than new jibes and jests were directed against me. I will not occupy the House two minutes in stating what I think on the qualifications of the noble Lord. He is a great orator; he speaks a most perspicuous language; but that perspicuous language conceals poverty of thought. He is very quick in forming an opinion, and exceedingly rapid in coming to a wrong decision. His character is marked by levity of mind and instability of principle. It is my opinion, therefore, that a man who in difficult times assumes the direction of affairs ought not to have those qualities belonging to him. I cannot understand a man who at one time declares that a lowering of the borough franchise will be destructive, and at another time, very soon afterwards, is ready to lower it; a man who at one time declares the admission of the Jews is against his conscience, and at another is quite ready to admit them; a man who dissolved Parliament in 1852, and while some said protection starved the people and others that free trade would ruin the whole farming interest, was content to say, "Be it protection or be it free trade, let the electors of this country decide. If they decide in favour of protection, I will argue in favour of protection. If they decide in favour of free trade, I will be as stout a free trader as the best of them. Only let me be Minister, and I am indifferent to principles." In such a man I place no confidence, and I shall be glad to see him removed from the head of affairs.

MR. ROEBUCK: Mr. Speaker, as I intend, Sir, to oppose the Amendment, I hope the House will allow me a very few minutes to state the reasons on which I ground my decision. The House, Sir, has been treated during many nights of this debate with Gentlemen's descriptions of one another, and the conclusion to which I have come, Sir, is that neither party deserves a good character. But I have to determine on this occasion what I think the best to be done for my country. [*Cries of* "Oh!"] Does anybody on this side of the House say "No?" I say, Sir, I am called upon to give an opinion, and I have to decide what I think is best for my country. Now, I want to know, if you turn out the present administration, whom you will let in; and then I have to inquire whether those who are to come in will be better than those you have turned out. That is a very plain issue, and upon that I am called on to decide. Now, Sir, the first question I ask myself is, what are the circumstances under which I am called on to make this decision —what is the condition of England at the present time, when I am called on to decide between the two contending parties?—and it is not simply what is the condition of England, but what is the condition of the world that I have to consider. Why, Sir, at this time one great part of Europe is suffering all the horrors of war. Two of the greatest nations of Europe are pitted against one another on the small plain of Northern Italy, and in this state of things I have to ask myself whether I think it wise to deprive England of her present Government, in order to establish such a one as must succeed it. This is a perilous question, to the consideration of which I come absolutely trembling. [*Laughter.*] I hear a laugh. I do not very much admire that man's state of mind who can come to the consideration of a question like this without some emotion. The emotion which I have is one of fear, for I fear for my country. Upon our decision to-night may rest great consequences. ["Hear, hear!"] If I be wrong—if the House be wrong, what evils may follow, and we know how important an opinion is when on one vote great results may turn. Therefore I am not ashamed to say that I look on this matter with fear and trembling, and I assert that the occasion justifies it. It may excite the risible faculties of the Gentlemen who have not those faculties under the control of their reason, but I think that a just, honourable, rational man, would say I am quite justified in being trembling and afraid. Well, Sir, I have much to ask myself. If the present Government is turned out, who is to come in? We know that this side of the House has determined to support the noble Lord the Member for Tiverton and the noble Lord the Member for London. I, Sir, who have had the happiness of sitting for a long time by the side of the noble Lord the Member for the City of London, have been, therefore, very much in the way of learning his political opinions. [*Cries of* "Oh, oh!"] Does anybody suppose that I have not learnt his political opinions? I am sure the noble Lord will not object to that statement. I am not going to allude to private conversations; but sitting, as I have sat with a very careful watch upon the proceedings of the noble Lord, I cannot but have felt that he does not hold opinions in common with the noble Lord the Member for Tiverton. I am told that in every Government there must be a compromise of opinion. ["Hear, hear!"] Oh, yes, "hear, hear,"—a compromise of opinion, I said, but not a compromise of principle. Now, Sir, the noble Lord the Member for Tiverton has never shown himself to be a thorough-going Reformer, but I have always supposed that the noble Lord the Member for the City of London, although he does not go as far as I do, is a good Reformer. The two great questions upon which we must judge the merits of these two noble Lords upon this occasion are, first, Reform, and next, the foreign policy of the country. Now, Sir, the noble Lord (Lord John Russell) has spoken out of one who was formerly his colleague, and I will speak out about the noble Lord the Member for Tiverton. I say that, before the country, I am justified in asserting that that noble Lord is no Reformer; and what I have to ask myself is, have I a right to expect from the noble Lord (Viscount Palmerston) the reforms which I can obtain from the party now in power? The right hon. Gentleman opposite, the Chancellor of the Exchequer, has told us that he is now prepared to bring in a substantial Reform Bill, and I am told on this side of the House (the Opposition) that that is a conversion. Now, Sir, have I not lived to see many conversions? Have I not lived to see the noble Lord here (Lord John Russell) and the noble Lord there (Viscount Palmerston) converts to free trade? But I am told that we cannot expect any good from Gentlemen opposite. Now, in his youth the noble Lord and the party to which he belonged, fought the great question of Catholic Emancipation, but by whom was that measure passed? By the party opposite. ["Oh, oh!"] I do not praise that party for so long withstanding the just claims of the Catholics. I think meanly of their ability for not having come to a right conclusion before; but they did come to a right conclusion, and they carried Catholic Emancipation, which had been advocated by the noble Lord, but which he could not carry. After Catholic Emancipation was obtained, the noble Lord and his Friends proposed the Reform of Parliament. They were opposed by the party opposite; but how was that measure carried? By the uprising of the whole people of this country, and by a quiet civil revolution. And I say again that if reform be left in the hands of the two noble Lords, I am quite sure that they will quarrel, and if they do not, the House of Lords will oppose them. Now, Sir, Gentlemen opposite will, I am sure, bring in quite as good a Bill as was ever concocted by the noble Lord (Lord John Russell). I feel quite certain of that, because adversity is a great teacher. Gentlemen opposite have been returned to this House upon an understanding very different from that associated with the old Tory party. There is no longer an old Tory party. They are a Reform party, spite of themselves, and if they obtain a majority to-night, we shall have a good Reform Bill propounded by the right hon. Gentleman the Chancellor of the Exchequer, which will easily be carried through the House of Lords. Therefore, I say that the House will receive from the party opposite quite as good a Reform Bill as it will get from the two noble Lords, and that it will be certain to be carried through the House of Lords. But I am told, Sir, that they are to have additional support. It is to be a triumvirate. The hon. Gentleman the Member for Birmingham (Mr. Bright) is to lend his aid to this composition Cabinet. If that hon. Gentleman were in this House what he is out of it, if he spoke as boldly here as he does upon the platform at Birmingham, I should have much greater faith in his efficiency and on the effect which he would produce upon the Cabinet; but at Birmingham he roars like any lion, and when he comes here he is a sucking dove. Therefore, I say, Sir, that the addition of the hon. Gentleman to this composition Cabinet will not be of any great advantage to the people of England. It is said, however, that whatever advantage we may desire from the Cabinet opposite in the way of reforms they will be unable to keep the peace in Europe. But pray into whose hands are we about to give power? The noble Lord the Member for Tiverton (Viscount Palmerston) is, I suppose, the person who will have the office upon this occasion. That noble Lord has not been very successful in his endeavours to keep peace. I want to know why he went to war with China. ["Question!"] I have no doubt it is a very disagreeable question. I want to know why we went to war with Persia? That question has never yet been answered. More than all, Sir, I want to know why the noble Viscount truckled to the Emperor of the French, and dragged England in the dirt? The noble Lord was ejected from office on account of that truckling, and what has happened within the year to whitewash him? It was not merely this House, it was the universal voice of the country which condemned and ejected him; and when I raised my voice against the insolence of France, the noble Lord turned his insolence on me. But what was the reresult? Why, by that very Parliament which had been called together under the delusion of the name of Palmerston—by that very Parliament he was within a year hurled from power, and the people of England backed up the Parliament. This, Sir, is the man who has kept the world in combustion ever since he has been in power—this is the man to whom we are going to confide the keeping of the peace of Europe. Now, Sir, I want to know whom the noble Lord is about to bring with him. Are we to have the benefit of the great abilities of the late President of the Board of Control (Mr. Vernon Smith)? Are we also to have the benefit of the great intelligence of the right hon, Gentleman who governed our Colonies (Mr. Labouchere)? and are we, more than all, to have the advantage of the splendid abilities of him who nearly ruined the Navy of England? But, Sir, there is balm in Gilead. I am told that this is to be a composition Cabinet, and possibly the three right hon. Gentlemen whom I have named will be kept out of it. If so, does ony one believe that the Cabinet will be in power for a quarter of a year? Will not the divisions thus created be far more dangerous to the continuance of the Administration than anything which can happen to the present one? I do not mean to flatter Gentlemen opposite. I do not think very well of them; but of this I am sure, that we can compel them to give us much more than we can ever obtain from the noble Viscount. You (addressing the Members upon the front Opposition bench) will go into office, but you will not be there a week without bickering and confusion, and in the midst of all your trouble and confusion England will be forgotten. Sir, I have seen that happen before. Poor England! [*Laughter.*] Gentlemen laugh, but under the rule of that bench I have seen her reduced to such a condition that all patriotic hearts trembled for the result. Their policy tended to ruin the people of England, and when they were turned out of office men slept more quietly in their beds. [*Cries of* "Oh, oh!"] This statement is, I have no doubt, somewhat unpleasant to those who sit on this side of the House; but, Sir, my duty calls upon me to decide, and in the present trying state of things I have to ask myself what decision it is at which my duty calls upon me to arrive. [*Laughter.*] There seems to be a very curious tendency to risibility on this side of the House. [*Laughter.*] Laughter, however, often marks emptiness of head, and I can only assure hon. Gentlemen that I look upon the question under discussion as a most serious one. I cannot, therefore, deal with it as a laughing matter, for I have to consider what is best for the welfare of my country. [*A laugh.*] That statement may again excite the cachinnation of hon. Gentlemen on this side of the House, still the question remains, what is it that my duty compels me to do? It compels me, Sir, to take this course—namely, to support the Government, not because I deem them that which I should wish an Administration to be, but because I think they are better than any Government by which they can be replaced. I have had considerable experience now for twenty-six years of the Parliamentary government of this country. When the Reform Bill of 1832 was passed it was stated that we were about to get out of the old track of being ruled by the great families of this country. Such has not hitherto been the case, so far as this side of the House is concerned. But I must say for hon. Gentlemen opposite that they have cast about to find ability, and in the attainment of that object they have not asked how a man was born or to whom he was related. From 1832, however, up to the present hour there has been upon this side of the House a constant and careful exclusion from office of everything that is termed plebeian. The real Government of this country has been confided to a certain small number of hands, all drawn from a certain small number of families. I may be told that this state of things has come to an end. When that is the case I shall rejoice, and when I see it I shall believe it. Well, Sir, I have no faith in sudden conversions of this description. The same feeling of exclusion which has hitherto narrowed down the Government of the Whig party to the smallest possible amount of brains still, I believe, continues to exist, and, as I am of opinion that the real welfare of my country requires enlarged principles of government, and a widely extended cast of the net to secure intelligence wherever it may be found, I intend to oppose the Amendment which has been moved by the noble Lord the Member for North Lancashire.

THE SOLICITOR GENERAL: Sir, at the close of the third night of this debate it becomes my duty to endeavour to examine—with that conciseness which the importance of the subject renders possible, and which the hour of the night reminds me is expedient—the charges against the Government which this Amendment is intended to include, and the arguments by which those charges have been supported. The noble Lord (the Marquess of Hartington) who proposed the Amendment—and who, whatever may be its issue, will have the satisfaction of knowing that there has been no speaker on this side of the House who has failed to bear testimony to the candour and ability with which, in a case of no mean importance and no ordinary difficulty, he has discharged the task intrusted to him—the noble Lord entered into an enumeration of charges which in his opinion disentitled the Government of Her Majesty to the confidence of the House of Commons. That enumeration was, with more or less consistency, followed up by the leaders of the party to which the noble Lord belongs. I must, however, except from this catalogue the noble Lord the Member for London (Lord J. Russell), who to-night broached a theory in this House which has, at all events, the merit of novelty. He has told us that upon the discussion of a Motion of want of confidence you need not go into any reasons at all. That is a maxim which, he says, he has gathered from the writings of Burke, and which he contends is unquestionable as a constitutional view of the privileges of the House of Commons. Now, Sir, I must, in the first place, beg leave to ask what, if that be so, was the meaning of the cry which was raised on Tuesday last, when my right hon. Friend the Chancellor of the Exchequer invited the House to proceed without delay to a division on this question? Why was it that we were then told by the noble Lord the Member for Tiverton (Viscount Palmerston) that the subject ought to be fully discussed? I shall in the next place, if the House will allow me, take the liberty of reading a few lines from a statement which was made by a public man on the occasion of a Vote of want of confidence having been proposed on the assembling of a new Parliament. The statesman to whom I allude said he did not find fault with the Motion, but he added—

> "When I say this, I say it is with them as with all depositaries of power in this country, there should be reasons given for such a proceeding. As a Sovereign is not justified in appointing a Minister from mere caprice, so neither is the House of Commons justified by a mere consciousness of power in setting aside appointments which have been made by the legitimate exercise of the prerogative of the Crown."

These observations were made when the Ministry of Lord Melbourne was met on the assembling of a new Parliament by a Motion of a want of confidence, and the statesman who made them was the noble Lord who sits there (Lord J. Russell), and who to-night has instructed us in constitutional learning out of the writings of Burke.

Now, reserving for a few moments the enumeration of the charges to which I have adverted, let me briefly examine the grounds on which the followers of the two noble Lords opposite give their support to the Amendment before the House. And first let me allude to the speech of the hon. and gallant Admiral the Member for Southwark (Sir Charles Napier) who spoke early in the debate. He gave us to understand that he will vote for the Amendment, but exercising that discretion which in a commander is the better part of valour, he declined altogether to argue the question; and, leaving it to be dealt with by those for whom it possessed some interest, he proceeded to make some observations with respect to naval affairs, to compliment my right hon. Friend the First Lord of the Admiralty, and to tender him advice, the value of which I have no doubt will be duly appreciated. We have next the hon. Member for Devonport (Mr. Wilson), who told us some scraps of news which he had picked up during a visit to Paris, the rest of his speech being a prelibation of one which he, no doubt, intends to make upon the forthcoming budget, his main charge against the Government being the largeness of the receipts from the sale of old stores. Next comes the hon. Member for the Wick Burghs (Mr. Laing), whom we are glad to see again in this House. He said he should be glad to vote with the Government, but that he thought he could not, as a matter of personal honour, act in opposition to the party with which he sat, and to which he nominally belonged. He adds, that if he is obliged to find a reason for his vote, he will found it on the foreign policy of the Government, his reason being this; that if we drift into war we shall not be found fighting on the side of France, a position which I therefore understand the hon. Member is desirous — and under a new Government hopes—to occupy. Then my hon. and learned Friend the Member for Cork (Mr. Serjeant Deasy). He takes the Irish view of the question, and, if he will allow me to say so, he takes an Irish view of it in every sense of the word. The Government, he asserts, are unpopular in Ireland, and he therefore intends to vote against them. But what is the proof which the hon. and learned Member adduces of this unpopularity? It is simply the fact that at the late elections in Ireland where there is an extended suffrage in the counties and in the boroughs, they have had the good sense, for the first time since the passing of the Reform Bill, to return a majority of Conservative members to Parliament. That however is a fact which to most minds would hardly prove the unpopularity of the Government. It is the one, however, which is satisfactory to the hon. and learned Member, and he therefore intends to vote for the Amendment. I now come to the right hon. Gentleman the Member for Stroud (Mr. Horsman), and the reason which he has assigned for the vote which he is about to give is even of a still more singular character than that which I have just mentioned. He says he does not desire to pass a Vote of want of confidence in the Government, but that the point to be considered is whether they have efficiently conducted the negotiations which have preceded the breaking out of war, the papers with respect to which have not as yet been laid upon the table of the House. "Now," argues the right hon. Gentleman, "if the Government had, instead of meeting the Amendment on the broad ground of want of confidence, come down to the House of Commons and said, 'our foreign policy remains to be considered; the materials for pronouncing a judgment upon it are not yet before you; we, therefore, implore you to postpone this discussion for a fortnight until you have had an opportunity of acquiring the necessary information on the subject before arriving at a decision with respect to it. If they had taken that course," says the right hon. Gentleman, "I should have voted with them, but now that they have thought proper to take the more straightforward course which they have adopted I cannot give them my support." I now come more directly to the charges made against the Government by the noble Lords the Members for Tiverton and the City of London. The noble Lord the Member for Tiverton goes to the fountain head. He says, "I begin at the beginning, and my first ground of attack rests in the circumstances under which you came into power." "You voted," he said, "for the first reading of the Conspiracy Bill, and then you voted against the second reading;" and the noble Lord says he never alluded to this circumstance before, but feels compelled to do so now. The noble Lord had no doubt good reasons for, and has derived no small advantages from not having referred to this subject before, and one of these is that had he mentioned it in the late Parliament he would have found there was very little sympathy with him in such a discussion. Another advantage to the noble Lord in now bringing the subject forward is, that he has persuaded himself into a temporary forgetfulness as to the facts of his case. But I have to ask the noble Lords opposite, before they charge this side of the House with inconsistency on that question, to settle a little business with the right hon. Gentleman who sits beside them, I mean the right hon. Member for South Wilts (Mr. Sidney Herbert). That right hon. Gentleman voted for the first reading of the Conspiracy Bill, and then voted against the second reading. The noble Lord the Member for Tiverton says he can have no confidence in any one who could do that. Now, if the noble Lord presses the right hon. Gentleman perhaps he may get from him satisfactory reasons for the course he took. But I mention it because I think these side attacks on his co-patrons of Almack's are hardly in accord with that knowledge of the world which the noble Lord is known to possess, and do not augur very favourably for the future concord of that assembly.

Now, as regards the course taken by the Conservative party on that occasion, I must remind the noble Lord of the circumstances as they occurred. The Conservative party, speaking through my right hon. Friend, who was the leader of the party, when they voted for the first reading of the Conspiracy Bill, expressly stated that they disapproved of the conduct of the Government in not answering the despatch of the French Minister, and that when the time came for the second reading the Ministers of the Crown would be called on to justify their proceedings with regard to the Bill, and the fact that the despatch had not been answered. [*Cries of* "Oh, oh!"] I am afraid there are not only Members in this House who are not aware of this transaction, but that there are new Members in the House who are hardly aware of the gravity and decorum with which discussions are conducted in a deliberative assembly. It was expressly stated that the time would come on the second reading of the Bill when the Minister would have to justify to the House the necessity for the Bill and the fact that the despatch of the French Minister had not received an answer. The Government of the day were warned of the course that would

be taken. Well, Sir, the second reading came, and the noble Lord at the head of the Government said the despatch was not only not answered, but could not be answered. In these circumstances the Conservative party had no alternative but to vote for the Amendment proposed on the second reading of the Bill. I will, however, tell the noble Lord that it was not the Conservative party who turned out the Government on that occasion. The Conservative party had not the power to do so; but the noble Lord was overthrown because he had forfeited the confidence of his own party—one of the largest and most influential parties that has sat in modern times in the House of Commons—and I believe that the verdict his party gave was perfectly in accordance with the opinion of the country. The noble Lord might well have drawn a veil over that transaction, but instead of doing so he has again justified the course which he took, and has thus shown to his new party that he has learnt nothing, and repented of nothing during the time he has been sitting on those (the Opposition) benches. The noble Lord then told us that he had exercised the greatest forbearance towards the Government during the last Session. I have no doubt the noble Lord has persuaded himself into that belief, but we consider that we are indebted to him for no forbearance whatever. We all remember the Motion made against the Government before they were long in office,—a Motion supported by the noble Lord in this House, and proposed by a near connection of the noble Lord in "another place." It is true that the Motion never came to a division, but that did not arise from the forbearance of the noble Lord. But let me advert to another instance of the noble Lord's forbearance. When the noble Lord was in office, the hon. Member for East Surrey (Mr. Locke King) proposed his Bill for the reduction of the county franchise, and the noble Lord opposed it and voted against it. The Bill was renewed when the present Government were in power. Every word of the Bill was the same, though the title was altered; and the noble Lord, on the ground that the figures in the Bill were printed in italics, said he would support the second reading, and by doing so defeated the Government. But,—not to enumerate more details—if the noble Lord chooses to go over Division Lists since the present Government came into office, he will find that there have been really one hundred and forty Divisions taken against the Government, and that they certainly did not originate with the Conservative side of the House.

The next charge of the noble Lord against Her Majesty's Ministers related to the Government of India Bill. The noble Lord says, that when in opposition we voted against the India Bill for transferring the government of that empire to the Crown, and that when in office we brought in a Bill to effect that object. Now, the Conservative party opposed the India Bill when it was brought in by the Government of the noble Lord, not on the ground that it was improper to transfer the Government of India to the Crown, but on the ground that a time while the rebellion was raging was not a proper time to hazard an experiment of that kind. The House, however, affirmed the introduction of the Bill by a majority of 145. Lord Derby soon after acceded to office, and on the first occasion of his appearing in his place in Parliament he stated that, as the House of Commons had decided by so large a majority against the East India Company, the authority of that Company was weakened if not destroyed, and that it was impossible to delay legislation on the subject any longer. But, then, says the noble Lord (Viscount Palmerston), it was, after all, my Bill that was carried, and any credit you have is credit derived from my handywork. Now, Sir, I must demur to that view of the case. I dare say, that in any number of Bills relating to the Government of India there would be formal clauses, the wording of which would be similar if not identical; but the House will recollect that the great points in controversy were the Council—who were to be the councillors, what was to be their number, what their tenure of office, what should be their pay, their powers, and their duties. These were points with regard to which the Bill of the present Government differed from that of the noble Lord, and on nearly all of them the noble Lord voted against the Government and in the minority. So much for the legislation as to India. The right hon. Baronet the Member for Carlisle (Sir J. Graham) addressed himself to the subject of the administration of the affairs of India, and found fault with the noble Lord (Lord Stanley) the Secretary for India, for asking for a loan of £7,000,000, which amount did not turn out to be sufficient. Now, it will be recollected, that when my noble Friend the Secretary for India applied for that loan, he mentioned that the annual financial statement had not arrived from India, and that it was impossible for him to say, whether the loan he then asked for would be sufficient to meet the exigencies of the case. But the right hon. Baronet likewise spoke of the subject of the re-organization of the Indian army being thrown down to a Commission, and said the servants of the Queen differed as to the right course to be taken on that important question. Now, I contend that it was a wise thing on the part of the Indian Government, who could not be supposed to be cognizant of all that it was desirable to know on a military question, more especially all that it was desirable to know as to the organization of the Queen's Army at home, to send the matter before a Commission, in order to obtain their advice, and I am now able to state that there is no difference of opinion among the servants of the Crown, and that my noble Friend is prepared to submit to the House a measure for the re-organization of the Indian army. But in the case of a Motion of want of confidence, questions like these must be decided very much by comparison, and I will ask the House to compare the administration of the affairs of India now with what it was under the Government of India that preceded the present. We challenge hon. Gentlemen opposite to say, whether they are willing to compare the state of Indian affairs now with that which existed under the preceding Government of India?

The next charge of the noble Lord is, that we brought in a Reform Bill. I admit that, if these matters are to be judged of by comparison, the noble Lord is free from any such charge. But then he says, "Your Bill was not approved of; no person thought for a moment of agreeing to its provisions." Now, Sir, I will mention one person who did approve of the measure, and that was the noble Lord himself. He gave to the Bill a very considerable degree of approbation. There were, he said, "fancy franchises" which he thought very good. It proposed to extend the county franchise, and he praised it for so doing, though he thought, perhaps, that we went too far. With regard to the transfer of seats, he added, some persons talked very largely, but he thought the Bill pursued a very safe course. As to the borough franchise, he said he had been of opinion for a long time that a £10 franchise would be the best; but now he thought this amount might be reduced, though he did not venture to declare what reduction he would make. The only subject upon which the noble Lord found real fault with the Bill was as to the borough freeholders—a question which every one knew would most easily and properly have been dealt with in Committee. The right hon. Gentleman (Mr. Sidney Herbert) has expressed the greatest surprise that it should be possible for the Government now to admit a lowering of the borough franchise, and says it was always stoutly maintained that this could not be done. I deny that the Government ever maintained anything of the kind. ["Oh!"] I hear a Gentleman express a doubt upon that subject, some one probably who was not present at the discussions which occupied the last Parliament. Now I, who can recall those discussions with considerable distinctness, remember that I myself said, because I was authorized to say it, that that subject, like every other point in the Bill, was one which might be treated in Committee, and properly ought to be treated there, and I compared it with the course taken by the noble Lord (Viscount Palmerston), who only justified his vote for the Bill of the hon. Member (Mr. Locke King), on the ground that he could alter the amount, the italics, in Committee. But do not take what I said. What did the First Minister of the Crown state in his place elsewhere upon the same subject? He said before the dissolution, that if the question had been between a £10 and an £8 suffrage in boroughs, the matter would not have been difficult of arrangement. These were the views of the noble Lord (Lord Palmerston) upon this Bill. But now I will tell him what we objected to in his treatment of the Government. We complained that, going to the extent he did in favour of the Bill which we introduced—a Bill in which the noble Lord could find so few faults, and those so easily remediable in Committee —he should yet combine with those who found fault with it in an entirely different matter, and to a much greater extent than himself—should combine with those from whom he so greatly differed and should place the Government in a minority, not on the second reading of the Bill, but upon an abstract Resolution. We were willing to submit to the country whether that was a wise, patriotic, and statesmanlike course; and if the verdict of the country were to be taken upon that question I should not have the slightest doubt about the answer. Then the noble Lord—and this is his last charge respecting domestic affairs—says, "Your dissolution of Parliament was unwise and reckless." Well, I rejoice in this moderation of tone as compared with what the noble Lord said before the dissolution. Then he declared that it was impossible; it could not be done; the supplies would be stopped; Parliament would not allow a dissolution. But at present it is only "unwise and reckless." Now, I will ask the noble Lord again whether, after the new alliance he has formed, it is wise to make what are really indirect attacks upon those who are acting with him. Let us examine the opinion of the hon. Member for Birmingham (Mr. Bright) who now agrees with the noble Lord in voting for this Amendment. He has given us his opinion on the subject of the dissolution:—

> "It is impossible," he said, "to come to any other conclusion than that the Government have taken the course which, acting upon the well-known rules of what is understood to be the constitutional or Parliamentary practice of the country, they are bound to take. I entirely approve of the course which the right hon. Gentleman and his colleagues have taken. It is, I think, a wise course in the emergency with which they have to deal."

Well, then, is the hon. Member for Birmingham going to vote against the Government upon the noble Lord's charges, including that of the dissolution? But I need not go beyond the words of the noble Viscount himself. He has declared that, the state of parties in the last Parliament was unsatisfactory, that its continuance was undesirable, and that an Amendment has been proposed which may possibly remedy the existing evil. Well, Sir, I now ask how all those advantages could be gained except by the dissolution. These, I think, exhaust the charges against the Government upon their domestic policy. I don't know whether I am right in calling them charges. Statements of that kind, made in support of a Vote of want of confidence were surely never called charges before. From the Government measures which have failed I might, however, appeal to those which have passed, or which were pending and are ready to be resumed; to the conduct of the Government with regard to the national defences; I might point to the efficiency of the army, and more especially of the ordnance, to the energy with which every part of the Administration has been carried on; and I think I may say with confidence that on these subjects, at all events, the Government has the confidence of the country. I now come to that which no doubt is of the greatest importance—our foreign policy. A great part of the observations on this subject have naturally turned upon the present state of affairs in Italy. But before touching upon that highly important subject I must turn aside to deal with charges made against the Government in another place by the right hon. Baronet the Member for Carlisle (Sir J. Graham). Don't let any hon. Member suppose that I am going to reopen at this stage of the debate any of the personal charges which the right hon. Baronet brought forward on the hustings at Carlisle. I think, however, as we pass on, it may be desirable, as merchants say, to "take stock" of these statements. First, we had the charge relating to the Secretary at War and the billeting of soldiers. That statement we know has been—although after a somewhat peculiar fashion—apologized for, and is not to be mentioned again. Next there is the statement respecting the Admiralty and my right hon. Friend the First Lord (Sir J. Pakington). That also has been apologized for and retracted, and I therefore say nothing about it. Then, thirdly, we have the rumour of election subscriptions, as to which I may say no one ever supposed that the right hon. Baronet was doing more than repeating a statement which he had heard or read in the reports of the day. We have next the statement about the packet service at Galway, which met with a contradiction on the first night of the debate. Fifthly comes the statement as to what is called the Roman Catholic alliance, which the right hon. Baronet fortified by reading a letter said in the newspapers to be from a Roman Catholic bishop in the north of England, but as to which I saw within a week afterwards that the letter was declared by the bishop himself to be a forgery. Number six charge related to the barrack at Berwick, which has also been put out of the question. All these charges were the rubbish gathered out of the kennel of calumny which runs through every town during the time of an election. But I am now going to refer to a statement affecting the national honour, and which I think transcends all the others which I have enumerated. The right hon. Baronet was First Lord of the Admiralty not many years ago. He was accustomed, I apprehend, to consider the course taken by our cruisers abroad, and the rights which they exercise with regard to ships of foreign nations. Well, when he was commenting at Carlisle, on the foreign policy of the Government he affected to doubt whether the honour of the country was safe in the hands of the noble Lord the present Foreign Secretary, and this was the instance he gave to the unsuspecting people of Carlisle:—

> "With reference to the slave trade a question arose between the United States of America and England. The slave trade cannot be put down upon the high seas unless the flag supposed under suspicious circumstances to be carrying slaves is visited by the British cruisers. That right of visit has from the very commencement of our efforts to put down the slave trade been exercised upon the high seas; and what did this champion of the honour of England do? Why, in a single personal communication with the Minister of the United States, he remonstrating against this accustomed right of visit, it was renounced and abandoned by Lord Malmesbury; and this champion of the honour of England did on that occasion renounce a right, a maritime right, on the part of England which every Foreign Minister for the last thirty years has not hesitated to uphold. Now, so much for this champion of the honour of England in the person of Lord Malmesbury!"

Every hon. Member must admit the gravity of the charge, and two reflections occur to me upon it. The first is that if this were an accurate charge deprivation of office would not be the proper punishment of the Minister who was open to it. The second observation is, that if any other person besides the Foreign Secretary deserved punishment, it would be a statesman of experience and of weight in the House who knew all this, who sat in the last Parliament, and who never informed the House of Commons of the injury which had been done to the honour of the country. Now, observe, this was not a rumour, but a matter depending upon statements made in the other House. A knowledge of everything that had been done had been communicated to Parliament in consequence of inquiries. Yet, Sir, what was the case? So far from Lord Malmesbury giving up the right of British cruisers to visit ships under suspicious circumstances, that is the very right which he has contended for, and which the Government of the United States has conceded. The facts may be briefly stated. There was great irritation on the part of the United States as to the proceedings of some of our cruisers off the Island of Cuba. A correspondence passed between the two Governments. Mr. Secretary Cass, the American Foreign Minister, after some preliminary correspondence, stated that under suspicious circumstances, neither he nor the country which he represented would quarrel with such of our cruisers as might exercise the right of visit. Lord Malmesbury thereupon consulted the proper legal authorities; he found that was the right which we claimed and desired to exercise; he closed with Mr. Secretary Cass upon his own statement, and without any further ill feeling or controversy the question was arranged upon that basis. Now, Sir, all this was told to the other House. The right hon. Baronet was for many years a colleague of Lord Aberdeen, than whom no Minister has ever taken a warmer interest in this question. What did Lord Aberdeen say? He said, "I have seen the letter of General Cass; I think it reasonable and proper; it gives up what I have always contended for." But he added, "the only thing I object to is that there should be any idea allowed to go abroad that the right of search generally"—that is to say, the right of search not under suspicious circumstances—"has been given up; it is impossible it can have been given up, because I abandoned it myself twenty years ago, and it has not been claimed since." I do not, of course, suppose that the right hon. Baronet invented the story which he told to his constituents; but what I complain of is, that a statesman of eminence and weight should, upon a subject involving the honour of England and affecting the general character of a Minister of the Crown, have carelessly made so grave a statement without taking the trouble to procure correct information. I think this exhausts the chapter of anecdotes at Carlisle. I will not dwell any longer upon them. The fact remains—and it is the only fact which does remain—that not one of those anecdotes can bear examination, and I can only congratulate the worthy electors of Carlisle upon the statements upon which they have returned their distinguished Member to Parliament.

I come now to the subject more immediately before the House — the foreign policy of the Government, especially in relation to the war now raging in Italy. The noble Lord who moved the Amendment candidly stated that, not having seen the papers which the Government are about to produce, he was not in a position to discuss the question of our foreign policy. In that he has not been followed by some of those who act along with him. The noble Lord the Member for Tiverton (Viscount Palmerston) and the hon. Member for Devonport (Mr. Wilson) have said that they have information enough without waiting for papers to express their opinion upon the foreign policy of the Government. I think we have in their observations two remarkable instances of the inconvenience of discussing this question in the absence of those papers. The hon. Member for Devonport makes a grave charge against my right hon. Friend the Chancellor of the Exchequer. He says that on the 25th of February last the Chancellor of the Exchequer stated to this House that the Government had reason to believe that the Roman States would shortly be evacuated by the French and Austrian troops, and that with the consent of the Papal authorities, and that under these circumstances Lord Cowley had proceeded on a mission to Vienna. The hon. Member tells us he has been in Paris, that he does not think there was any foundation for that statement, and that he has reason to know that at the Tuileries and at the Foreign Office in Vienna it had created great surprise. I have of course no means of knowing from whom in Paris the hon. Member derives his political information; but if the hon. Member, being in Paris, had referred to those sources of information to which one might have thought he could have had recourse —if he had looked at *The Moniteur*, the Government paper, he would have found that on the 27th of February, by authority, there was inserted in *The Moniteur* a statement almost in words the same as that made by the Chancellor of the Exchequer in regard to the evacuation of the Roman States. I say he would have found that statement inserted by authority in *The Moniteur*, and in addition to that I am able to inform him that the statement was made in this House in consequence of a direct communication from the French Ambassador in London. I think, therefore, the hon. Member will agree with me in thinking that upon that subject there could not have been much surprise felt at the Tuileries. Then, with respect to the Foreign Office at Vienna, when the hon. Member reads the papers which will be laid upon the table, he will find that for some days before the date I have given, the authorities at the Austrian Foreign Office had received a communication from the Papal Government, and that they had stated to our Minister that this was one of the subjects on which they were prepared to communicate with the Lord Cowley. There could not, therefore, have been any great surprise on the part of the Foreign Office at Vienna. So much, then, for the assertions of the hon. Member for Devonport. The statement of the noble Lord the Member for Tiverton, however, is much more serious. The noble Lord told us that in the course of the negotiations, up to the last moment—

> "The belief of the Government was, that if they could only frighten France from hostilities by holding it out to Europe that in the event of war breaking out they would be found acting on the side of Austria, peace would be preserved, and war would be avoided. I think," he added, "a threat to either side, that any contingency of war was to involve England as an active party in the contest was wrong and imprudent, the more especially when it was launched at a proud, warlike, and independent nation, who must have understood what was meant, and would doubtless have resented it."—[See *Hansard*, cliv. 179–80.]

I have no doubt the noble Lord believed all this; but I can assure the House that there is not a shadow of foundation for that statement. Nothing whatever passed during the negotiations which could in the remotest degree bear the construction of a threat to France, that in the event of war breaking out we should be found acting on the side of Austria. Now the noble Lord is a statesman of eminence, and one whose words are read and weighed over the whole Continent. A statement of this kind, therefore, ought not to have been made unless there was an accurate foundation for it within the knowledge of the noble Lord. Such a statement, even though it be corrected in this House, must do mischief when it goes abroad, and is read abroad; because, next to the threat of war, any proud, sensitive, warlike nation would most dislike to have it said in an assembly of this kind that it had been threatened with war. Such are the consequences of the course which has been taken by the noble Lord and the hon. Member in opposition to the Mover of the Amendment in discussing the subject of these negotiations, when they have not the material for discussion. Now, I ask you upon what ground is it that you propose to censure the Government with regard to its foreign policy on the Italian question? It must be either, first, because war has broken out; or it must be, secondly, because the negotiations have not been conducted with energy and with earnestness; or it must be, thirdly, because since the war has broken out the Government has acted in some manner likely to prejudice or endanger the neutral position of this country. Is it on the first ground—that the war has broken out? The noble Lord the Member for London has disposed of that question, for he has very fairly admitted that he did not think anybody could have prevented this war breaking out. Is it on the second ground—that the negotiations have not been conducted with energy and earnestness? How are you to judge of that without having negotiations before you? Just observe; you have had the gracious Speech from the Throne; you have agreed, I may say, to the Address so far as it goes, and you are about to thank Her Majesty for the intimation that the papers relating to the negotiations in question, and showing how great has been her desire to preserve the peace of Europe, will be laid before you; and then, by way of Amendment, you censure the Government for the conduct of those negotiations before you have had the information on which you might be expected to found that censure. Well, Sir, is it on the third ground, is it because anything has been done since the war to complicate or compromise the neutral position of this country with foreign Powers? Sir, the course taken by the Government is clear and distinct. It does not rest upon verbal statements. The Government have issued a Proclamation not merely for this country but for foreign Powers. It is couched in clear and distinct terms, and affirms the perfect and complete neutrality of this country. The foreign powers who are concerned in the war, comprehend and have accepted that declaration. Now, Sir, is there any reason to doubt the sincerity of that Proclamation? The noble Lord the Member for the City of London says there is. He says that my noble Friend the Earl of Derby made a speech in "another place," and the noble Lord read that speech and commented upon it. I will notice the noble Lord's comments on the Speech, but I will not notice his comments on the character of the Earl of Derby. The noble Lord is an eminent biographer, and he has shown that he is no mean proficient in sketching character. But there is one ingredient necessary to every successful sketch of character, and that is, that the biographer should be impartial, and that he should be placed in circumstances that ensure his impartiality. Now, Sir, I do not think it is the time for the noble Lord to sketch the character of a statesman when he wishes to dislodge that statesman and assume his place. The noble Lord knew that the construction he put upon the Earl of Derby's speech had been denied by the Earl of Derby, and that the true construction had been assigned by the Earl of Derby. I think, therefore, it would only have been fair if the noble Lord had read the construction which the author of the words himself put upon them. The Earl of Derby, in his speech at the Mansion House said:—

> "That noble Lord (Lord J. Russell) supposes me to have said that I thought it the duty of England to maintain a posture of armed neutrality, in order that we might take the part of whichever of the belligerents we believed was in the right, and he adds that from the manifest partiality we have shown for Austria, there can be no doubt on which side we are prepared shortly to draw the sword. Now I take the liberty to say here, thus emphatically and publicly, that nothing could have been further from our view. What I did say was this,—That we intended to maintain a strict neutrality; but that when a million or more of men were in arms, when war was not only imminent, but in actual existence, and that moreover in Italy and on the shores of the Mediterranean, it was incumbent on and actually necessary for us, looking to the great interests we have involved there, looking to our great possessions, and the military position we occupy in that quarter, that we should be in such a state as to defend those possessions and preserve the British flag and British arms from the possibility of insult amid any of the contingencies that might arise. And I said this, not that we should maintain that armed neutrality for the purpose of joining this or the other of the parties with whose quarrels there is nothing in our national interests or national honour that calls for our interference."

I say that this was a clear and distinct declaration of neutrality, and neutrality not in the sense assigned by the noble Lord the Member for Tiverton, who talked of the neutrality of this country as long as the war was confined to Italy, but an absolute neutrality for every contingency that we can either see or speculate upon. The hon. Member for Birmingham has a different objection, and now I come to his ground for voting for the Amendment of the noble Lord the Member for North Lancashire (the Marquess of Hartington). The hon. Member says,—"It is all very well to declare a neutrality, but look what you are doing. You are strengthening your army, increasing your militia, enrolling volunteer rifle corps, and adding greatly to your navy and seamen."—The effect, he says, is to make the French look suspiciously upon you and to peril our alliance. I do not think it can be said that because we do not expect Austria to attack us we must therefore really expect France to attack us; but I am glad we have got this charge; it is worthy the consideration of this House, and for this reason:—According to the hon. Member the French alliance ought to be drawn closer, and that which perils the alliance is the increase of our armaments and the strengthening of our fleet. What is the consequence? The alliance with France, according to the hon. Member's theory, can only be drawn closer by the relinquishment and reduction of our armaments. It is a strong term—the disarmament of England—but using it to denote the comparative defenceless state of our shores, which existed only two years ago under a Ministry which I need not name, I say that the observations of the hon. Gentleman the Member for Birmingham convince me that, as his support is admitted to be necessary to the new Government, the condition of that support must be the disarmament of England. But now you talk of neutrality to the Government, let me ask a question. What is the neutrality of the noble Lord the Member for Tiverton? Here I must begin by correcting, I am sure an unintentional, but still serious misrepresentation which has been made by the right hon. Member for South Wiltshire (Mr. Sidney Herbert), and the noble Lord the Member for London. They said, adverting to the speech of my hon. Friend the Under-Secretary of State for Foreign Affairs (Mr. Seymour FitzGerald) that something fell from him that had the appearance of depreciating or speaking lightly of the French alliance. Now, that is not correct—there is not the shadow of ground for such a statement. What fell from my hon. Friend was that, speaking of the meeting at Willis's Rooms—of which we have heard so much—he said that no man valued more than he did the French alliance, but he added that he found the noble Viscount at that meeting, while he professed to declare in favour of neutrality, added that above all things the interest of this country was to preserve the alliance with France. The observation of my hon. Friend—and a well-founded one, I venture to think—was, why did not the noble Lord say it was the interest of this country to preserve the alliance with both countries—Austria as well as France—and thus exhibit a real neutrality? What can foreign nations think of saying in one breath we desire neutrality, and in the next breath, that above all things necessary for this country is the alliance with France? I will not, however, stop at Willis's Rooms; for the noble Viscount at Tiverton, if rightly reported, speaking of the position of Austria in the north of Italy, where her position, be it good or bad, is guaranteed by the public law of Europe, said that, if Austria by the end of the year was driven out of the north of Italy, and Italy left entirely to the Italians, every one in this country would rejoice. Now, Sir, I want to know how a declaration of that kind consists with, and how continental nations can take it to be consistent with, perfect neutrality. Suppose, for instance, Lord Derby had said that if Austria succeeded in driving the Sardinians out of Lombardy, and in securing her reign more firmly over Lombardy and Venice, it would be a matter of rejoicing, what would have been said then of the neutrality of Government? There is a statesman who of all others should be competent to form an idea of the effect of language of this kind on Italy; he is not connected with us upon this side of the House, he has been for many years a colleague of the noble Lord opposite, and he is an experienced diplomatist in the affairs of Italy—I mean, of course, the Marquess of Normanby. What has he said within the last day or two? His opinion of that declaration at Tiverton is that the man who made it is a dangerous man to be a Minister of England. But the neutrality of the noble Lord the Member for Tiverton is well known. He was neutral in 1848, when he was Foreign Minister. He then acted consistently with his notion of neutrality. I will not go into a review of those occurrences, but will only say that any one who reads the blue-books relating to them must come to the conclusion that if in 1848 there had been any nation upon the Continent sufficiently powerful and disengaged to enter upon a war against us, the course which the noble Lord took would have furnished ample reasons and justification for a war. I know this was made the subject of debate in this House, and that the noble Lord defended himself, stating that all he did was in the interests of peace and freedom, and was not intended to promote war. I firmly believe that is his opinion, but that is just the danger. It is just because that is the sincere conviction of the noble Lord, that in the proceedings which he took in 1848, when he was neutral, he was only promoting freedom in a harmless and peaceful way, and because I believe these are his firm and ingrained sentiments, that I look upon him as a most dangerous Minister. I believe, that if the noble Lord were now to do one-tenth of what he did in 1848, we should have this country involved in war before twelve months were over.

The right hon. Member for South Wiltshire (Mr. Sidney Herbert) in his speech to-night—the courteous tone of which I gladly recognize, and the interest of which I need scarcely say was felt by every one on both sides of the House—gave us some details with regard to the circumstances under which persons can change their opinions; and he also showed what one sometimes sees even in the case of the most clearsighted and impartial men—how they can overlook the applicability to themselves of the rule which they prescribe for others. In that speech, after having plentifully—I do not say too plentifully—supplied us with quotations from the speeches of almost every one on this side of the House who has spoken in times past, or in times present, on the subjects under discussion—after supplying us even with division lists for the purpose of testing the acts and opinions of hon. Members—the right hon. Gentleman turned round and censured my hon. Friend the Under-Secretary for Foreign Affairs, and of my right hon. Friend the Attorney General for Ireland, because they had done exactly what the right hon. Gentleman himself had done throughout the whole of his speech,—because they had read the opinions of statesmen, Members of this House, with regard to the foreign policy of the noble Lord, the Member for Tiverton. Now, Sir, I desire to refer to the opinions of statesmen with regard to the policy of that noble Lord merely for the purpose of showing that upon a subject exactly similar to that which we are now discussing those Statesmen, now acting with the noble Lord, expressed their dissent from the views entertained by the noble Lord upon foreign policy. Why do I think it desirable that the House should bear this circumstance in mind? A good many speakers on the other side have stated that their great desire is to see a strong Government formed, and that, therefore, they support the Amendment. The right hon. Member for South Wiltshire has told us that a Government must be either strong within, or strong from its support without; and I wish the House to consider whether, with regard to the composition of a Government, there can be any weakness to compare with that arising from the dissension of its own Members? It has been shown to you, and therefore I need not undertake the task, with regard to those who are now said to be the leaders of this movement originating on the other side, and who must be looked to in a greater or less degree as the components of any Government that may be formed, that they differ from the noble Member for Tiverton upon this great, this all-important question of foreign policy. I want to know, then, what prospect of unanimity there is likely to be in a Cabinet so constructed. The right hon. Member for Carlisle (Sir James Graham), the right hon. Member for South Wilts, the hon. Member for Birmingham (Mr. Bright) and the right hon. Member for Ashton (Mr. Milner Gibson) have all disapproved in the strongest terms of that policy which we have no reason to believe the noble Member for Tiverton has surrendered, or intends to surrender, and which therefore he will be bound to carry out the moment he is restored to power.

The right hon. Member for Radnor (Sir George Lewis) endeavoured to justify the Amendment, and the hon. Member for Devonport (Mr. Wilson) seemed to be under the apprehension that I should be disposed to give it a hard name. Sir, I have no such intention. The noble Marquess who proposed the Amendment stated most frankly and fairly that he admitted it to be a party Motion. I will go further, and I will say that I believe it to be perfectly legitimate as a party Motion, and that it would not have been made if it had not been deemed necessary as a party Motion. We are fallen upon anxious and upon critical times. I see among statesmen opposite who support this Amendment many who have borne the weight and responsibility of office, and he among them must indeed be a bold man who, at a crisis like the present, would desire for the mere sake of office to resume that weight and that responsibility. But the favourable construction which I put upon the objects of this Amendment I demand in return for the Government against which it is directed. The hon. Member for Birmingham has spoken of the pleasure or the pain with which an interchange of parties from one side of this House to the other is usually attended. Sir, if personal ease and satisfaction alone were concerned, those who sit on these benches might well hail with pleasure the change of power which is sought to be effected by this Amendment. But there is in this country—and I do not claim it as a monopoly for any one set of public men—a higher and a stronger feeling than the mere desire for personal ease and gratification—and that feeling is a sense of public duty, and a desire for the public welfare. Sir, we believe that we have, under circumstances of great difficulty and disadvantage, conducted, and that we are able to conduct, the internal affairs of this country not without ability, and not without success. We believe that the course we are pursuing, and intend to pursue, with regard to our foreign relations is that which under Providence can alone preserve to England the inestimable blessing of peace, which can render her unassailable and unlikely to be assailed by any act of foreign aggression, and which can enable her to labour, in her opportunity, to secure to other States the same blessings which we value for ourselves. We believe that this policy, so essential to the honour and the prosperity of this country, would be marred and thwarted by a transfer of power at this moment into the hands of the noble Viscount. And it is because we believe this that we cheerfully and readily join issue with the Amendment which has been proposed, and await, with confidence and contentment on this great appeal, the verdict of the House of Commons.

Question put,

The House *divided*: Ayes 323; Noes 310: Majority 13.

List of the AYES.

Acton, Sir J. D.
Adair, H. E.
Adam, W. P.
Adeane, H. J.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Alcock, T.
Andover, Visct.
Angerstein, W.
Anson, hon. C.
Antrobus, E.
Arnott, J.
Ashley, Lord
Atherton, W.
Ayrton, A. S.
Bagwell, J.
Baines, E.
Baring, H. B.
Baring, rt. hon. Sir F. T.
Baring, T. G.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, Col. F. W. F.
Bethell, Sir R.
Biddulph, Col.
Biggs, J.
Black, A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Brand, hon. H.
Bright, J.
Bristow, A. R.
Brocklehurst, J.
Brown, J.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, H. A.
Buchanan, W.
Buckley, Gen.
Bulkeley, Sir R.
Buller, J. W.
Burke, Sir T. J.
Bury, Visct.
Butler, C. S.
Butt, I.
Buxton, C.
Byng, hon. G.
Caird, J.
Calthorpe, hon. F. H. W. G.
Campbell, hon. W. F.

Cardwell, rt. hon. E.
Castlerosse, Visct.
Cavendish, hon. W.
Cavendish, Lord G.
Cholmeley, Sir M. J.
Clay, J.
Clifford, C. C.
Clifford, Col.
Clinton, Lord R.
Clive, G.
Cogan, W. H. F.
Coke, hon. Col.
Colebrooke, Sir T. E.
Collier, R. P.
Coningham, W.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, F.
Dalglish R.
Dashwood, Sir G. H.
Davey, R.
Davie, Sir H. R. F.
Davie, Col. F.
Deasy, R.
Denison, hon. W.
Denman, hon. G.
Dillwyn, L. L.
Divett, E.
Dodson, J. G.
Douglas, Sir C.
Duff, M. E. G.
Duff, Major L. D. G.
Duke, Sir J.
Dunbar, Sir W.
Duncan, Visct.
Duncombe, T.
Dundas, F.
Dunkellin, Lord
Dunlop, A. M.
Dunne, M.
Ellice, rt. hon. E.
Ellice, E.
Ennis, J.
Esmonde, J.
Euston, Earl of
Evans, Sir De L.
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. C.
Fenwick, H.
Ferguson, Col.
Finlay, A. S.
FitzGerald, rt. hon. J. D.
FitzRoy, rt. hon. H.
Fitzwilliam, hon. C. W. W.
Foley, J. H.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Foster, W. O.
Fortescue, hon. F. D.
Fortescue, C. S.
Fox, W. J.
Freesland, H. W.
French, Col.
Gavin, Major
Gibson, rt. hon. T. M.
Gifford, Earl of
Gilpin, C.
Glyn, G. C.
Glyn, G. G.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, J.
Greenwood, J.
Gregson, S.
Grenfell, C. P.
Greville, C. F.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Gurdon, B.
Gurney, S.
Hadfield, G.
Hall, rt. hon. Sir B.
Hanbury, R.
Handley, J.
Hankey, T.
Hanmer, Sir J.
Harcourt, G. G.
Hardcastle, J. A.
Hartington, Marq.
Headlam, T. E.
Heneage, G. F.
Herbert, rt. hon. H. A.
Herbert, rt hon. S.
Hodgkinson, G.
Hodgson, K. D.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howard, Lord E.
Hutt, W.
Ingham, R.
Ingram, H.
Jackson, W.
James, E. J.
Jervoise, Sir J. C.
Keating, Sir H. S.
Kershaw, J.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Col.
Kinnaird, hon. A. F.
Labouchere, rt. hon. H.
Laing, S.
Langston, J. H.
Langton, W. H. G.
Lanigan, J.
Lawson, W.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Levinge, Sir R.
Lewis, rt. hon. Sir G. C.
Locke, John
Locke, Joseph
Lowe, rt. hon. R.
Lysley, W. J.
M'Cann, J.
Mackie, J.
Mackinnon, Wm. Alex. (Lymington)
Mackinnon, Wm. Alex. (Rye)
M'Mahon, P.
Marsh, M. H.
Marshall, W.
Martin, P. W.
Martin, J.
Massey, W. N.
Matheson, A.
Matheson, Sir J.
Mellor, J.
Merry, J.
Mitchell, T. A.
Mildmay, H. F.
Mills, T.
Milnes, R. M.
Moncreiff, J.
Monk, C. J.
Monsell, rt. hon. W.
Monson, hon. W. J.
Morris, D.
Mostyn, hn. T. E. M. L.
Napier, Sir C.
Noble, J. W.
Norris, J. T.
North, F.
O'Brien, P.
O'Connell, Capt. D.
O'Donoghoe, The
O'Ferrall, rt. hn. R. M.
Ogilvy, Sir J.
Onslow, G.
Owen, Sir J.
Packe, G. H.
Paget, C.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Paxton Sir J.
Pease, H.
Pechell, Sir G. B.
Peel, Sir R.
Peel, rt. hon. F.
Perry, Sir T. E.
Peto, Sir S. M.
Pigott, F.
Pilkington, J.
Pinney, Col.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Proby, Lord
Puller, C. W. G.
Ramsden, Sir J. W.
Raynham, Visct.
Ricardo, O.
Rich, H.
Ridley, G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, Baron M. de
Roupell, W.
Russell, Lord J.
Russell, H.
Russell, A.
Russell, F. W.
St. Aubyn, J.
Salomons, Mr. Ald.
Salt, T.
Schenley, E. W. H.
Schneider, H. W.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Scully, V.
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, R. B.
Slaney, R. A.
Smith, J. B.
Smith, M. T.
Smith, rt. hn. R. V.
Smith, A.
Somerville, rt. hon. Sir W. M.
Stafford, Marquess of
Staniland, M.
Stanley, hon. W. O.
Stansfield, J.
Steel, J.
Stuart, Lord J.
Sykes, Col. W. H.
Talbot, C. R. M.
Thornhill, W. P.
Tite, W.
Tollemache, hon. F. J.
Tomline, G.
Traill, G.
Trelawny, Sir J. S.
Turner, J. A.
Tynte, Col. K.
Vane, Lord H.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldron, L.
Walter, J.
Walters, R.
Warre, J. A.
Watkins, Col. L.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Whalley, G. H.
Whitbread, S.
White, Col.
White, Col. L.
Wickham, H. W.
Willcox, B. M'G.
Williams, W.
Wilson, J.
Winnington, Sir T. E.
Wise, J. A.
Wood, rt. hon. Sir C.
Woods, H.
Worsley, Lord
Wrightson, W. B.
Wyvill, M.

TELLERS.
Hayter, Sir W.
Knatchbull-Hugessen.

List of the NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Capt. H.
Arbuthnott, hon. Gen.
Archdall, Capt. M.
Astell, J. H.
Bailey, C.
Baillie, H. J.
Ball, E.
Baring, A. H.
Baring, T.
Barrow, W. H.
Bathurst, A. A.

Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Beresford, rt. hon. W.
Bernard, hon. Col.
Bernard, T. T.
Blackburn, P.
Blake, J.
Bond, J. W. M‘G.
Booth, Sir R. G.
Botfield, B.
Bovill, W.
Bowyer, G.
Boyd, J.
Bramston, T. W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Major C.
Bruen, H.
Bunbury, Capt. W. B. M‘C.
Burghley, Lord
Burrell, Sir C. M.
Cairns, Sir H. M‘C.
Carnac, Sir J. R.
Cartwright, Col.
Cave, S.
Cayley, E. S.
Cecil, Lord R.
Churchill, Lord A. S.
Close, M. C.
Cobbett, J. M.
Cobbold, J. C.
Cochrane, A. D. R.W.B.
Codrington, Sir W.
Cole, hon. Col.
Cole, hon. J. L.
Collins, T.
Conolly, T.
Cooper, C. W.
Copeland, Mr. Ald.
Corbally, M. E.
Corry, rt. hon. H. L.
Crook, J.
Cross, R. A.
Cubitt, Mr. Ald.
Curzon, Visct.
Dalkeith, Earl of
Damer, S. D.
Davison, R.
Dawson, R. P.
Deedes, W.
Dickson, Col.
Disraeli, rt. hon. B.
Drax, J. S. W. S. E. D.
Drummond, H.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, Col.
Du Pre, C. G.
Dutton, hon. R. H.
Earle, R. A.
East, Sir J. B.
Edwards, Major
Egerton, Sir P. G.
Egerton, hn. A. F.
Egerton, E. C.
Egerton, W.
Elcho, Lord
Elmley, Visct.
Elphinstone, Sir J. D.
Emlyn, Visct.
Estcourt, rt. hn. T. H. S.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Ferguson, Sir R. A.
Filmer, Sir E.
FitzGerald, W. R. S.
Forde, Col.
Forester, rt. hon. Col.
Forster, Sir G.
Franklyn, G. W.
Gallwey, Sir W. P.
Galway, Visct.
Gard, R. S.
Garnett, W. J.
Gaskell, J. M.
George, J.
Gilpin, Col.
Gladstone, Capt.
Gladstone, rt. hon. W.
Goddard, A. L.
Goff, Capt.
Gordon, C. W.
Gore, J. R. O.
Gore, W. R. O.
Graham, Lord W.
Greaves, E.
Greenall, G.
Gregory, W. H.
Gray, Capt.
Grey de Wilton, Visct.
Griffith, C. D.
Grogan, Sir E.
Gurney, J. H.
Haddo, Lord
Haliburton, T. C.
Hamilton, Lord C.
Hamilton, J. H.
Hamilton, Major
Hanbury, hon. Capt.
Hardy, G.
Hartopp, E. B.
Hassard, M.
Hayes, Sir E.
Henley, rt. hon. J. W.
Hennessy, J. P.
Henniker, Lord
Herbert, Col. P.
Heygate, Sir F. W.
Hill, Lord E.
Hill, hon. R. C.
Hoare, J.
Holdford, R. S.
Holmesdale, Visct.
Hood, Sir A. A.
Hope, G. W.
Hopwood, J. T.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humberston, P. S.
Hume, W. W. F.
Hunt, G. W.
Ingestre, Visct.
Jermyn, Earl
Jervis, Capt.
Johnstone, hon. H. B.
Johnstone, J. J. H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Ker, D. S.
Kerrison, Sir E. C.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, R.
Knox, Col.
Knox, hon. Major S.
Lacon, Sir E.
Leeke, Sir H.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Lennox, Lord H. G.
Leslie, C. P.
Lever, J. O.
Liddell, hon. H. G.
Lindsay, W. S.
Lindsay, hon. Col.
Lockhart, A. E.
Long, R. P.
Long, W.
Longfield, R.
Lopes, Sir M.
Lovaine, Lord
Lowther, hon. Col.
Lowther, Capt.
Lyall, G.
Lygon, hon. F.
Lytton, rt. hon. Sir G. E. L. B.
Macaulay, K.
MacEvoy, E.
Maguire, J. F.
Mainwaring, T.
Malins, R.
Manners, rt. hn. Lord J.
March, Earl of
Maxwell, hon. Col.
Michell, Dr. W.
Miles, Sir W.
Miller, T. J.
Mills, A.
Mitford, W. T.
Montague, Lord R.
Montgomery, Sir G.
Moody, C. A.
Mordaunt, Sir C.
Morgan, O.
Morgan, Major
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, rt. hon. D.
Murray, W.
Naas, Lord
Newark, Visct.
Newdegate, C. N.
Newport, Visct.
Nicol, W.
Noel, hon. G. J.
North, Col.
Northcote, Sir S. H.
Overend, W.
Packe, C. W.
Pakenham, Col.
Pakington, rt. hn. Sir J.
Palk, L.
Palmer, R. W.
Papillon, P. O.
Parker, Major W.
Patten, Col. W.
Paull, H.
Peacocke, G. M. W.
Peel, rt. hon. Gen.
Pennant, hon. Col.
Pevensey, Visct.
Philipps, J. H.
Potts, G.
Powell, W. T. R.
Powys, L. P.
Pugh, D., Carmarthen
Pugh, D., Montgomery
Quinn, P.
Redmond, J. E.
Repton, G. W. J.
Richardson, J.
Ridley, Sir M. W.
Roebuck, J. A.
Rogers, J. J.
Rolt, J.
Salt, T.
Sclater-Booth, G.
Selwyn, C. J.
Seymer, H. K.
Sheridan, H. B.
Shirley, E. P.
Sibthorp, Major
Smith, Sir F.
Smith, M.
Smith, A.
Smyth, Col.
Smollett, P. B.
Somerset, Col.
Spooner, R.
Stanhope, J. B.
Stanley, Lord
Stephenson, R.
Stirling, W.
Steuart, A.
Stewart, Sir M. R. S.
Stuart, Major W.
Sturt, H. G.
Sturt, N.
Stracey, Sir H.
Sullivan, M.
Talbot, hon. W. C.
Taylor, H.
Tempest, Lord A. V.
Thynne, Lord E.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Trefusis, hon. C. H. R.
Trollope, rt. hon. Sir J.
Upton, hon. Gen.
Valletort, Visct.
Vance, J.
Vandeleur, Col.
Vansittart, W.
Verner, Sir W.
Vernon, L. V.
Walcott, Admiral
Walpole, rt. hon. S. H.
Walsh, Sir J.
Watlington, J. W. P.
Way, A. E.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Col.
Willoughby, Sir H.
Woodd, B. T.

Wyndham, Gen.
Wyndham, hon. H.
Wynn, Col.
Wynne, Sir W. W.
Wynne, C. G.
Wynne, rt. hn. J. A.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.
Jolliffe, Sir W.
Taylor, Col.

Main Question, as amended, put and *agreed to.*

Committee *appointed,*

To draw up an Address to be presented to Her Majesty upon the said Resolution:—Marquess of Hartington, Mr. Hanbury, Viscount Palmerston, Lord John Russell, Mr. Sidney Herbert, Mr. Milner Gibson, Sir George Grey, Sir Francis Baring, Sir Andrew Agnew Viscount Castlerosse, Mr. Byng, and Mr. Moncreiff; or any five of them:—To withdraw immediately.

Queen's Speech *referred.*

House adjourned at half-after Two o'clock.

HOUSE OF LORDS,

Saturday, June 11, 1859.

Their Lordships met, and having gone through the business on the Paper,

House adjourned to Wednesday next.

HOUSE OF COMMONS,

Saturday, June 11, 1859.

Minutes.] Public Bills.—1° Constabulary Force (Ireland).

HER MAJESTY'S SPEECH.—REPORT OF ADDRESS.

Report of Address *brought up* and read, and *agreed to:*—To be presented by Privy Councillors.

HER MAJESTY'S SPEECH.

Lord JOHN RUSSELL, said it was usual, immediately the Address had been read and agreed to, to fix an early day for taking Her Majesty's Speech into consideration. He moved, therefore, that Her Majesty's most gracious Speech be taken into consideration on Friday next.

Motion *agreed to.*

House at rising to adjourn till *Friday.*

On Motion that the House do now adjourn,

MANNING THE NAVY.

THE QUEEN'S PROCLAMATION.

Sir CHARLES NAPIER said, the Proclamation offering bounties to seamen entering the Royal Navy would expire on the 15th of June. He would, therefore, ask whether it was the intention of the Board of Admiralty to renew it?

Sir HENRY LEEKE said, the question of renewing the Proclamation had been considered by the Board yesterday, and he believed it would be renewed.

Sir CHARLES NAPIER asked if the bounty of £10 given under the Proclamation would be extended to the sailors who had entered the service before it was issued, and who were equally well entitled to it?

Mr. CORRY replied that no such alteration was contemplated in the terms of the Proclamation as that referred to by the gallant Admiral. The only alteration would be that, whereas the existing Proclamation offered a bounty of £10 to able seamen, £5 to ordinary seamen, and £2 to landsmen, the Order in Council about to be issued would limit the payment of bounty to able and ordinary seamen only, and extend the period during which such bounty would be payable to the 31st of July.

Viscount PALMERSTON asked to what day the Government proposed to adjourn the House?

Sir STAFFORD NORTHCOTE said, the noble Lord, the Member for the City of London, had moved that the Queen's Speech be taken into consideration on Friday, and as the new writs could not be issued till the Tuesday following, there could be no object in meeting sooner than the day fixed upon.

Viscount PALMERSTON: Was the adjournment till Friday made on the motion of Her Majesty's Government?

Sir STAFFORD NORTHCOTE: No; on the suggestion of the noble Lord the Member for the City of London.

Sir GEORGE GREY said, it was usual to name a day for the Consideration of the Queen's Speech after the Report of the Address had been brought up and agreed to; but that had nothing to do with the adjournment itself. The Speech from the Throne need not be taken into consideration for several days after the House met. It was the duty of the Secretary of the Treasury to move the adjournment, and he had done so, he presumed, after consultation with the leader of the House.

Sir STAFFORD NORTHCOTE: No: after consultation with the noble Lord the Member for the City of London.

House adjourned at Half-after Twelve o'clock till Friday.

HOUSE OF LORDS,

Wednesday, June 15, 1859.

MINUTES]. *Took the Oath.*—The Earl of Belmore.

Their Lorships met, and having gone through the Business on the Paper,

House adjourned at five minutes past Four o'clock, till to-morrow half-past Ten o'clock.

HOUSE OF LORDS,

Thursday, June 16, 1859.

MINUTES]. *Took the Oath.*—The Lord Clements.

Their Lordships met, and having gone through the Business on the Paper,

House adjourned at Four o'clock, till To-morrow, Half-past Ten o'clock.

HOUSE OF LORDS,

Friday, June 17, 1859.

MINUTES.] *Took the Oath.*—Several Lords.
PUBLIC BILLS.—3ª. Debtor and Creditor; The Companies (1859).

MINISTERIAL EXPLANATIONS.

THE EARL OF DERBY: Perhaps, my Lords, before proceeding to the little business which stands for your Lordships' consideration to-day, I may be indulged, under the circumstances in which I am placed, with permission to address a few words—and they shall be very few—to your Lordships. It is hardly necessary for me to say that, after the division which took place on Friday night last in the House of Commons, no alternative was left to Her Majesty's Government except humbly to tender the resignation of the offices which they held, and which it was impossible they should longer continue to hold with advantage to the country after a vote of want of confidence had been carried against them by a majority in the House of Commons. The majority undoubtedly was not a very large one, but as it was a majority in a House—I believe the largest on record—from which very few Members were absent, we felt bound to take it as the deliberate expression of the opinion of the whole House of Commons. At the same time, as that vote of want of confidence was not founded upon a condemnation of any specific portion of our policy, either foreign or domestic, but was treated purely as a party question—looking to the general division supposed to exist between public men, who are called Liberal on one side, and Conservative on the other, and that the simple declaration in one paragraph of the Address was that the Government ought not to be intrusted to Her Majesty's present advisers—I am relieved from the necessity of entering upon a vindication of any part of the policy or conduct of Her Majesty's Government. I am satisfied, my Lords, to leave that policy and that conduct to be judged by the impartial decision of the country, and, so far as it goes down to posterity, by posterity. I think it due, however, to my noble Friend the Secretary of State for Foreign Affairs to express the conviction—which I believe is shared by every man who has at all impartially considered the papers recently laid on your Lordships' table and on the table of the other House of Parliament—I think it due to him to express my conviction, that a perusal of those papers in a dispassionate spirit will satisfy your Lordships and any one who reads them, not only that the expression in Her Majesty's Speech, "earnest and unceasing have been Her Majesty's endeavours to preserve the peace of Europe," is fully borne out; but also that in the negotiations with foreign Powers my noble Friend has displayed every wish to do that which we professed to do—namely, to "maintain a strict and impartial neutrality between the contending parties." And if there have been—as there have been—some who have lavishly and inconsiderately thrown out aspersions and imputations that my noble Friend unduly lent towards one of those contending parties, those aspersions and imputations are completely refuted and disproved by the papers which have been laid before us. My Lords, I will not enter into any vindication of our conduct, I will simply state that, after the vote of the House of Commons, feeling it impossible that we could conduct the business of the country with credit to ourselves or advantage to the Sovereign as long as that vote was recorded against us, and knowing that we had recently appealed to the country for its decision, we had but one course to take and that was humbly to tender to Her Majesty the resignation of our offices. Her Majesty was pleased to accept that resignation. Consequently we hold office at the present moment only until our successors shall be appointed. I rejoice to think that that period is not likely to be long ; because in the present state of Europe I can think nothing more unfortunate than that the powers of the Executive should be in abeyance. I therefore rejoice that, whoever may compose the Ministry which shall succeed us, we shall not remain in office beyond a very few days—I believe a very few hours—longer. I hardly know whether I ought on the present occasion to speak from the place which I now occupy (the Treasury bench), inasmuch as I have just returned from making my grateful acknowledgments to Her Majesty of the kindness and confidence with which I have been honoured, and taking my leave of Her Majesty in the character of Her First Minister. I can only say for myself and colleagues, and for those in both Houses with whom I have the happiness and honour of acting, that I am perfectly satisfied that those who are to succeed us will meet with no factious opposition, or be obstructed by any embarrassing combination or conduct in their attempt to carry on the Government of the country. And I will say more, that it will give me most earnest and sincere satisfaction if I find that, although no longer holding office, I can give to the Queen's Government that which I desire to give—an independent and generous support. I do earnestly trust that in the matter of foreign policy Her Majesty's Government will not depart from the line of a strict and impartial neutrality which it has been so much the object of the present Government to maintain. I am satisfied that that is the only course which will accord with the wishes and interest, and I may say the determination of the country. At the same time I adhere to the principle by which we were guided, and I trust that Her Majesty's Government will not relax in those efforts which we felt it our duty to make in the present unsettled state of Europe to place the country—more especially the naval power of the country—in a condition to protect us against every insult, and to add weight and importance to our interference or mediation with foreign Powers.

Before I sit down, perhaps my noble Friend opposite (Earl Granville)—who I presume is about to become again the leader of this House, in which on a former occasion he has gained so much esteem and good will from both sides of it—will forgive me if I take the opportunity of referring to a circumstance which I think ought not altogether to be passed over in silence. My Lords, if there are any communications which ought to be invested with a character of most strict and inviolate secrecy, they are the communications—the personal communications — between the Sovereign of these realms and her advisers; and, if it be possible to draw a distinction between different communications of that character, none I think ought to be invested with that character in a more peculiar degree than communications between the Sovereign and the person whom She may have sent for to consult with on the formation of a new Administration. Entertaining these opinions—which I am sure are shared by all your Lordships—I confess that it was with great surprise and regret that on Monday morning last I saw in *The Times* newspaper what purported to be a detailed account of the whole conversation which took place between Her Majesty and the noble Earl opposite on the occasion when Her Majesty was pleased to consult him on the formation of a new Administration. Undoubtedly newspapers can, on these occasions, draw their own conclusions and give accounts of who have gone into the palace, and whether this or that statesman has been communicated with. But I must say this is the first time I have seen a statement, given apparently on authority, of observations made by Her Majesty, of replies by the persons consulted, and statements by Her Majesty of the motives by which she was actuated in an attempt to form a new Government. I give to my noble Friend opposite the entire credit of being absolutely free from the slightest charge of having sanctioned this publication. I am quite sure that the honourable character of my noble Friend, and his sense of the duties which we owe to the Sovereign, would have prevented his giving in the slightest degree his sanction to such a violation of official decorum and constitutional practice. But this is not a case of a document being surreptitiously obtained and transferred to a newspaper, nor is this paragraph a fabrication resting on the imagination of the writer, and falsely assuming statements of what actually did take place. Only one or two persons could have been present at that conversation,—Her Majesty, probably the Prince Consort, and my noble Friend. It is therefore perfectly obvious that my noble Friend's confidence has been grossly abused by some person or another. No doubt there was some one with whom it was his duty to communicate on receiving that communication from Her Majesty, but clearly that person was not the editor of a newspaper. I am ready to receive an assurance from my noble Friend that he gave no sanction to the publication of so important and confidential a communication as one between his Sovereign and himself, and that his confidence has been improperly abused by some one divulging information which ought to be kept strictly secret. I do not intend to take any further step in this matter. I prefer calling my noble Friend's attention to it while I still sit on this side of the House, lest it should be thought I took an early opportunity of making a factious attack on the new Administration. I think my noble Friend must have been as painfully struck with the fact as myself, and will consider he owes thanks to me for having noticed it and asked him to give an explanation. It is with that view, and with that view only, I have thought it right thus to notice it to your Lordships.

I understand that it is my noble Friend's wish, and the wish of those likely to be connected with him in the Government, that the adjournment of your Lordships' House shall be moved until Tuesday next; and probably on Tuesday it will be necessary to move a further adjournment. Of course, in all matters I wish entirely to consult the convenience of those who are about to succeed us. Consequently, after the business is disposed of, if it meet my noble Friend's view, I will move the adjournment until Tuesday. I do not think it is necessary for me to trouble your Lordships any further. I do not wish to raise any discussion. I repeat, it is my anxious hope that the Government will soon be able to take our places, and from me they shall have no obstruction, but, on the contrary, every facility for carrying on the Government consistent with the principles which I entertain.

Earl GRANVILLE: My Lords, I feel that it is more proper that I should postpone until another opportunity any remarks on public affairs, although I believe I shall do nothing improper if I at once tender our thanks to the noble Earl and those who formed the late Government for the assurance that the new Government—who assume office, it may well be believed, under circumstances of no little difficulty—will receive no unnecessary opposition from them. One part of the noble Earl's speech referred to a circumstance of a personal nature, as to which I trust your Lordships will allow me to give an answer. On the occasion of my last interview with Her Majesty—on Sunday last—I asked Her Majesty's permission to state to my friends that which had taken place at the previous interview to which I had the honour of being admitted; and, having obtained that permission, I in the course of the same evening made a statement generally to several of my friends—some political, some private—as to what had passed upon that occasion. In that statement I certainly never meant in respect to any one circumstance to give Her Hajesty's language. I did, however, in making that statement, lay very great stress on the grounds upon which Her Majesty sent for me, because I thought they would be calculated to show the constitutional motives by which Her Majesty was actuated in taking that step. I read, I confess, with great regret the article which appeared in *The Times* of Monday, and to which the noble Earl has referred. It is quite clear that that article was founded on one or more of the statements which I had made myself on the previous evening. So far as that portion of it which relates to the conversation which I had the honour of holding with Her Majesty is concerned, I may say—putting aside for the moment any appearance of disrespect which the publication in such a manner of that conversation may seem to imply—that what actually took place only serves to show how faithfully the Sovereign of this country adheres to those constitutional maxims, the observance of which has been one of the greatest characteristics of Her Majesty's reign. On the other hand, I am perfectly ready to admit to the noble Earl and to the House that I very deeply regret that I did not use that complete reserve which would have entirely precluded the possibility of publicity being given to a conversation the purport of which could have been properly stated by me only in my place in Parliament, and at the proper time. There is also another portion of the article in question to which I venture briefly to refer,—I mean that portion of it which relates to a communication which I had with a statesman of great eminence with regard to the formation of a Government. I perceived with regret that the article to which I allude led naturally to the inference that I had reason to complain of Lord John Russell that he had not behaved towards me with that fairness which I had experienced in other quarters. I will not enter into a lengthened explanation on the subject now; but I feel assured that when I have an opportunity of making my statement in reference to the proceedings in which I so recently took part in full you will perceive that, although the distribution of offices, and the carrying out of his political views prevented Lord John Russell joining me, he was actuated by no personal feeling in the matter, and was solely influenced by public considerations. I may add that so far as I myself am concerned I met from Lord John Russell with the same remarkable kindness and consideration which I received at the hands of other public men. I have now simply to thank your Lordships for the kindness with which you have listened to the explanation which I had to make in reply to the charges ininvolved in the remarks of the noble Earl opposite, and, while I have no hesitation in saying that I am not guilty of that breach of confidence from which indeed the noble Earl has been kind enough to exculpate me, yet I at the same time feel that the observance of a greater degree of discretion on my part would have prevented the occurrence of that to which he has adverted.

Lord BROUGHAM: My Lords, reference having been made to a supposed audience of the Queen, I may observe that as a Peer of Parliament I had a right and it might be a duty to request an audience of Her Majesty. I am not at liberty to state what advice I tendered to Her Majesty, if I tendered her any. I am, however, perfectly entitled to urge again upon your Lordships' attention the very strong opinion to which I gave expression on the first night of the Session, upon the absolute necessity, in the present state of affairs, both at home and abroad, of any Government which may at this time be constituted being formed on the widest possible basis. One word as to the state of affairs on the Continent. Now, whatever advice I gave in this House on the formation of the Government I have no manner of doubt that it would be too late to repeat it now; but on the subject of our foreign relations it is not too late to express my ardent hope and my confident trust—to speak in the words of the noble Earl opposite (the Earl of Derby)—that the most absolute neutrality will be observed by the Minister, whoever he may be, who has been entrusted with the government of this country; that there may be no leaning — not only towards Austria, but no leaning whatever, towards either France or the allies of France—Sardinia, and, I grieve to say, Russia.

House adjourned at a quarter before Six o'clock, to Tuesday next, half-past Four o'clock.

HOUSE OF COMMONS,

Friday, June 17, 1859.

KING OF DELHI.—CIVIL ESTABLISHMENTS.—JUDICIAL OATHS.

MOTION FOR PAPERS.—QUESTION.

Mr. KINNAIRD moved for an Address for Copy of a Letter of the Chief Commissioner of the Punjab, forwarding to the Governor General of India the proceedings on the Trial of the King of Delhi. The hon. Member also asked the Secretary of State for India whether he had not received a report on Civil Establishments and Salaries throughout India by Mr. Henry Ricketts, and what steps it was proposed to take in accordance with the recommendations thereof? Also, whether anything was being done in the way of legislation in regard to Judicial Oaths in India, and whether the subject had been under the notice of the Council?

Lord STANLEY replied, that the reports on Civil Establishments and Salaries had been received, but without any expressions of the views of the Indian Government. The subject had been taken into consideration by the Council of India here, and a communication had been addressed to the Government at Calcutta for their opinion as to the propriety of adopting the recommendations which the Report contained; but as yet no reply had been returned. He could scarcely in a few words give a reply to the second question. He might, however, state that a Bill had been submitted to the Legislative Council at Calcutta on the subject of Judicial Oaths, he was not aware with what result; but a despatch had been sent out on the 3rd May, fully expressing the views of the Government here.

RESIGNATION OF MINISTERS.

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, it is but respectful to the House that I should formally announce to them that of which, no doubt, every Gentleman present is already cognisant;—that in consequence of the vote which a week ago the House was pleased to arrive at, Lord Derby and his colleagues felt it their duty immediately to tender the resignation of their offices to Her Majesty, and that Her Majesty has been graciously pleased to accept the same. So that at the present moment they hold, and for some days past they have held, those offices only until their successors are appointed. The noble Lord the Member for Tiverton has received the commands of Her Majesty to form an Administration, and I believe he has accomplished the task. Under these circumstances, I feel that it will be for the convenience of the House—and also of the noble Lord—that I should move that the House at its rising adjourn until Tuesday next. I fix Tuesday because that is the last day on which election petitions can be received. Should any further adjournment be necessary those who succeed us will then have the opportunity of moving it.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Colonel Forester) *reported* Her Majesty's Answer to the Address, as follows:

I receive with much satisfaction the assurance of the House of Commons, that, whilst I maintain a strict neutrality between the contending parties in the War now kindled in the North of Italy, I may rely on their cordial concurrence in the measures of defensive policy which have appeared to Me to be necessary for the security of my Dominions and the honour of my Crown.

I am at all times desirous that my Government should be in accordance with the Representatives of My People in the House of Commons; and I have therefore taken measures to act upon the advice which you tender to Me, by the formation of a new Administration.

NEWSPAPERS, &c., BILL.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time" (Mr. Ayrton).

MR. SOTHERON ESTCOURT appealed to the hon. and learned Gentleman to postpone the Bill until the new Government were present to express their opinion upon it.

MR. AYRTON said, he saw no reason for postponing the measure.

SIR HENRY WILLOUGHBY urged the inconvenience of proceeding with the Bill under the circumstances in whch the House was placed with regard to the Government, and added that there was an objection in point of form. The Bill interfering with revenue ought to have emanated from a Committee of the whole House.

MR. AYRTON said, he had consulted the legal advisers of the Treasury, and was assured there was no objection either in point of form or substance.

MR. SOTHERON ESTCOURT said, he thought the best way would be to adjourn the debate for a fortnight.

Debate *adjourned* till Friday, 1st July.

THE QUEEN'S SPEECH CONSIDERED.

The Queen's Speech *considered;* Motion "That a Supply be granted to Her Majesty."

Committee thereupon on *Tuesday* next.

CRIMINAL JUSTICE MIDDLESEX (ASSISTANT JUDGE) BILL.

Order for Second Reading read.

MR. SOTHERON ESTCOURT moved the second reading of this Bill, which he said was simply to carry out an object in which he believed both sides of the House agreed, namely, the increase of the salary of the Assistant Judge from £1,200 to 1,500 a year.

MR. W. WILLIAMS objected. Three times a Bill had been brought in to increase the salary of the late Mr. Serjeant Adams who held the office a long time, and was a most efficient Judge, and it was rejected; a very distinguished person succeeded that learned Judge, and he had never applied for an increase; and although he admitted the high talents of the learned Judge recently appointed (Mr. Bodkin) he did not think that any sufficient reason for the proposed increase could be shown which could not exist with reference to his two predecessors. It was suggested that the new Judge would give up his private practice; but there was no necessity for that, for he had plenty of leisure time and had two Assistants.

MR. LOCKE KING thought the Bill ought not to be proceeded with in the abeyance of the Government.

MR. HARDY observed that the Assistant Judge was often called upon to decide upon important questions connected with the poor law; and what could be more unseemly and inconvenient than that he should previously have given as a Barrister his opinion upon the points he had to determine as a Judge? It should be recollected that the practice which the Assistant Judge would have to surrender under the new arrangement was probably worth more than £1000 a year.

MR. BYNG begged to confirm this statement.

MR. BOUVERIE was in favour of the Bill, but thought that it ought not to be proceeded with in the absence of the new Government.

Second Reading *deferred* till *Friday* 1st July.

House adjourned at Five o'clock till Tuesday next.

HOUSE OF LORDS,

Tuesday, June 21, 1859.

MINUTES.] *Took the Oath.*—Several Lords.

Their Lordships met: and having transacted the Business on the paper,

House adjourned at a quarter past Five o'clock, till Thursday next half past Four o'clock.

HOUSE OF COMMONS,

Tuesday, June 21, 1859.

MINUTES.] PUBLIC BILLS.—Poor Law Boards (Payment of Debts).

OPERATIONS IN INDIA.—THE VOTE OF THANKS.

LETTER OF ACKNOWLEDGMENT FROM SIR ARCHDALE WILSON.

MR. SPEAKER acquainted the House, that he had received from Major General Sir Archdale Wilson, K.C.B., baronet, of Delhi, a Letter in return to the Thanks of this House, communicated to him in obedience to their Commands of the 14th day of April last: and the said Letter was read.

CHARING-CROSS RAILWAY BILL.

THIRD READING.

Queen's *Consent* signified.

Order for Third Reading read.

Motion made, and Question proposed,—"That the Bill be now read the third time."

SIR DE LACY EVANS moved an Amendment that an humble Address be presented to Her Majesty praying that she will be graciously pleased to appoint a Commission to investigate and report upon the various railway projects of which the *termini* are proposed to be established within or in the immediate vicinity of the metropolis.

Amendment proposed,

> "To leave out from the word 'That' to the end of the Question, in order to add the words 'an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission to investigate and report upon the various Railway projects of which the Termini are proposed to be established within or in the immediate vicinity of the Metropolis,"

instead thereof:

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. INGHAM, Chairman of the Committee to which the Bill had been referred, urged that the delay caused by the appointment of a Commission of this kind at this period would be practically fatal to the Bill. The evidence before the Committee was comprehensive and satisfactory, showing that the proposed line was calculated greatly to relieve the traffic of the streets, and the Admiralty and the Board of Trade had both expressed opinions in its favour on the ground of its tendency to distribute the traffic.

MR. TITE, as one of the governors of St. Thomas's Hospital, objected to this plan, as interfering with that institution. The proposed line started from the South Eastern terminus, passed through the Borough, and crossed the river to a terminus at Hungerford Market. The line passed within eight feet of one of the wards of the hospital, on a level as high as the second floor of the building, and it was the deliberate opinion of the medical officers of the establishment, that if the railway carriages were constantly passing, that ward, and perhaps the whole of the hospital, would be useless as a receptacle for the sick poor. There were no less than 500 beds in the hospital, not one of which was at this moment unoccupied, which showed the value of the institution. In 1841 the South Eastern and Brighton Companies were desirous of improving their termini, and the hospital having given them every facility, the South Eastern agreed not to encroach further on their property; but that Company were the principal promoters of this scheme, and had contributed £300,000 to its capital.

Colonel WILSON PATTEN suggested the impropriety of this Motion at this stage of the Bill. If the Motion had been made on the second reading there might have been some reason for it; but the Bill having passed through Committee, it ought not to be made on the third reading.

Sir DE LACY EVANS then withdrew his Motion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 3°, and *passed.* [New Title.]

LONDON (CITY) GAS BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,—"That the Bill be now read a second time."

Mr. Alderman CUBITT moved that the Bill be read a second time that day three months. As a member of the City Board of Health he stated, on the authority of the medical officers of the Board, that the company's works were a principal contributor to the nuisances which polluted the river.

Amendment proposed, "To leave out the word 'now,' and at the end of the Question to add the words 'upon this Day Six Months.'"

Question proposed, "That the word 'now' stand part of the Question."

Colonel NORTH urged that the Bill had passed through a full examination by a Committee of the House of Lords, and he thought it ought to be read a second time. He had been over the works of the company, and could assert, from his own knowledge, that nothing could be more admirable than the way in which the business was managed. He read testimonials from various scientific gentlemen to the effect that there was nothing in the works injurious to health, and also referred to a Petition in favour of the Bill signed by a great number of inhabitants residing in the neighbourhood of the works, barristers of the Temple, and others.

Mr. CLIVE, without going into the merits of the Bill, suggested that the Amendment should be withdrawn, and the second reading be postponed for a fortnight until the responsible Members of the Government were in their places, for this, though a Private Bill, had reference to a department of the Government—the Board of Health.

Mr. W. JACKSON said, that postponing the second reading for a fortnight would be fatal to the Bill. He objected to the Home Department constituting itself a Committee of that House.

Mr. SOTHERON ESTCOURT recommended that the Bill should be allowed to go before a Select Committee, where the sanitary question would be fully inquired into. If the result should be against the Bill, the House could of course reject the measure, even should it pass the Committee.

Mr. AYRTON also supported the Motion, believing that inquiry was necessary, and not thereby pledging himself to support the Bill in any future stage.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

THE SHIPBUILDING DEPARTMENT OF THE NAVY.—QUESTION.

Mr. JACKSON asked the noble Lord the Secretary to the Admiralty (Lord Clarence Paget) whether he intended to proceed with the Motion for the appointment of a Select Committee to inquire into the management and expenditure of the shipbuilding department of the Navy, notice of which stood on the paper in his name?

Lord CLARENCE PAGET said, he was sure that his hon. Friend would give him credit for an earnest desire that there should be an inquiry into the matters connected with the shipbuilding department of the Admiralty, and he was quite certain that the noble Duke who now presided over the Admiralty had it equally at heart that this great branch of our naval service should be throughly looked into. If he now asked permission to withdraw the Motion of which he had given notice it was not that he at all desired to shirk the question; but that he thought that his hon. Friend and those who, like him, were anxious for this inquiry should put some faith in the good intentions of the noble Duke and in his own. He only asked them not to spur a willing horse, and under these circumstances he should not proceed with the Motion which stood in his name.

MR. JACKSON said, he should take up the Motion which the noble Lord had dropped and gave notice that in the next Session of Parliament he should move for a select Committee to inquire not only into the ship-building department, but also into the general expenditure of the Navy.

OUR NAVAL DEFENCES.

OBSERVATIONS.

SIR CHARLES NAPIER said, it was his intention to postpone the Motion for a Select Committee to inquire into the state of the Admiralty of which he had given notice; and said that he had been made very uneasy by a statement which he had heard had that forenoon been made by the Earl of Derby.

MR. SPEAKER said, that the hon. and gallant Admiral could not make a speech unless he intended to conclude with a Motion.

SIR CHARLES NAPIER said, that he would conclude with a Motion for an adjournment of the House. He had heard that the Earl of Derby had that morning, at a meeting of his friends, stated that he understood from Mr. Gladstone, the new Chancellor of the Exchequer, that he was quite shocked at the expenditure of the country and that he was determined to reduce it. The Chancellor of the Exchequer might reduce the expenditure of the country as much as he thought proper, but he trusted that there would be no reduction of the defences of the country. He gave the late Government great credit for what they had done towards putting our defences in a proper state and condition; though he did not think they had gone far enough. If they had done what he thought necessary for the defence of the country he could not have conscientiously voted against them, and he hoped that the Government which had just acceded to office would go much further than they had done. He trusted that they would persevere and that there would be no reduction of our fleets and armies, but that on the contrary they would be augmented. He was happy to see it stated in the papers that day, that the late Government had commissioned two more ships of the line, which gave them twenty-six sail of the line now in commission. When they saw the preparations for a great battle now making in Italy—when they considered the unquiet state of Germany, and that Russia was making very extensive naval preparations, they could not tell how soon a state of things might arise that would call for the mightiest exertions on the part of this country. France had a fleet nearly as large as ours, and Russia had one much larger. With regard to Russia he had read the following important statement in *The Times* of Saturday:—

> "The shipments of machinery to Russia since the opening of the navigation are stated to have been on a scale which will go far to account for the necessity that has existed for the transmission of gold from St. Petersburg to London, especially as similar orders have been executed in America and elsewhere, many of which are paid for by draughts on this country. Within the past month the *Hercules* steamer has landed from St. Petersburg five complete sets of engines for first-rate men-of-war, and many of our engineering firms have still large commissions to execute. According to the last dates the utmost exertions were being made in all the naval departments, in preparation, it was said, for the return of the Grand Duke Constantine. The Neva division of the Russian fleet is now asserted to comprise 80 first-class gunboats, constructed on the best recent models, while the Baltic fleet consists of 35 sail of the line, 14 of which at present at Cronstadt are screw line-of-battle ships of from 80 to 120 guns each. It is affirmed that during the last month a continental contract has been in execution in this country for 60,000 bags of ships' bread. This would suffice for 30 sail of the line for six months. Looking, also, at the purchases of horses, coal, and other material, the flow of money to England, which has been one of the first consequences of the war, is easily explained."

This was a statement well worthy of the consideration of the House. Russia could send thirty-five sail of the line into the North Sea, and if she were to do so the confusion caused in this country would be such as we could form no conception of. He trusted, therefore, that such a fleet would be got in readiness as would enable us to meet France, Russia, or any other nation upon the sea.

Motion made, and Question proposed,—"That this House do now adjourn."

MR. W. WILLIAMS thought that the gallant Admiral should have waited to hear the statements of the Government before urging upon them the expenditure of money. The hon. and gallant Admiral was always anxious to spend the public money, and he believed no party that would be in office would ever satisfy him on that head. He thought both the late and present Governments were better judges of what was necessary for the defence of the country than the hon. and gallant Admiral who was the only naval officer in England who seemed to be always afraid of attack from foreign countries.

Motion, by leave, *withdrawn.*

PUBLIC IMPROVEMENTS.

BILL ORDERED TO BE BROUGHT IN.

Mr. SLANEY called the attention of the House to the subject of public walks and places of exercise for the working classes near great towns. In whatever direction they went in the metropolis and other large towns they found the working classes compressed into narrow and close localities. This was in one sense a mark of our prosperity, but it was also a proof that we had forgotten our duty to those classes in not supplying them with spaces where they could have exercise and enjoy themselves after their work was done. He had moved for a Committee on this subject twenty-six years ago, and the fruit of that Committee's report was four new parks opened to the public in the metropolis. He had walked for miles over portions of this enormous city, and could not find a single spot of open ground on which the humble classes might exercise themselves. He did not ask for any Government grant, but only that facilities should be given to those who desired voluntarily to provide the funds necessary for setting apart public places of recreation. He thought also that care should be taken to preserve the footpaths on the roads in order to the safety of the public. This was a question that did not perhaps much interest the House, but it was one of deep interest to the people out of doors. In every large town the population was increasing to an enormous extent, and it was absolutely necessary for the public health that large open spaces, such as he had referrad to, for air and exercise, should be provided. He would conclude by moving for leave to bring in a Bill of which the purpose was to facilitate the establishment of public walks and places of exercise for the working classes near great towns.

Mr. SOTHERON ESTCOURT called the attention of the House to what he deemed an irregularity on the part of the hon. Member in moving for leave to bring in a Bill when the notice put upon the paper by him only vaguely indicated his intention to make a Motion on the subject, without stating the precise object of such Motion.

Motion *agreed to.*

Bill to enable a majority of two-thirds of the ratepayers of any parish or district, duly assembled, to rate their district in aid of public improvements for general benefit within their district, *ordered* to be brought in by Mr. Slaney and Mr. Cowper.

SUPPLY.

On Motion for Supply,

MINISTERIAL RE-ELECTIONS.

Mr. BRAND said that, in moving the postponement of the Order of the Day for Committee of Supply, he would avail himself of the opportunity to state the course which Her Majesty's Government proposed to take with reference to the further adjournment of the House. It would not be becoming in him to advert to the circumstances which had led to the recent change in the Administration, but he might be permitted to state that it was the anxious desire of Her Majesty's Government that no unnecessary delay should take place in the resumption of the public business. The House was aware that no new writ could be issued for the election of a Member until the expiration of fourteen days after the meeting of Parliament. That period expired with that day (Tuesday), and it would afterwards be his duty to move that certain new writs should be issued in consequence of the acceptance of office by those Members of Her Majesty's Government who had held seats in that House. The return to those new writs would occasion a delay in the business of the House of about a week, and it was consequently impossible that any of the responsible Ministers of the Crown could be in their places until about the middle of the ensuing week. He would therefore give notice that to-morrow he should move that the House on its rising do adjourn until Thursday the 30th of June; and he begged leave to move that the Order of the Day now read should be fixed for that day.

Motion *agreed to.*

Committee *deferred* till *Thursday* 30th June.

House adjourned at half after Five o'clock.

HOUSE OF COMMONS,

Wednesday June 22, 1859.

MINUTES.] PUBLIC BILLS:—1°. Tolls on Steam Carriages; Appeal in Criminal Cases.

On Motion that the House at its rising adjourn until Thursday, 30th June,

BREACH OF PRIVILEGE.

MR. O. STANLEY said, that as the House was now about to adjourn for a week, he wished to call the attention of the House to a statement which appeared in a newspaper published that morning (*The Times*) gravely affecting the character of the House. It appeared under the head of "Election Intelligence," and set forth that a vacancy was about to be created in the representation of Northampton. It seemed that at a meeting of the electors a Mr. Dennis, who was represented to be a law agent, told them that on a recent occasion he had had an interview with one of their Members (Mr. Gilpin), and then followed these particular words, to which he (Mr. Stanley) wished to direct the attention of the House,—

> "As an illustration of the agencies that had been at work during the late struggle, Mr. Gilpin showed him two letters which he had received from the agents of the Tory party, and in which a direct attempt was made to corrupt Mr. Gilpin in the discharge of his duty as a Member of Parliament, and to influence him in giving his vote upon the last division, by offering to him a pecuniary consideration of the grossest and most direct character."

The attempt referred to must have taken place a fortnight ago, and yet no notice had been taken of so flagrant an act. He knew nothing of the matter except what appeared in the newspapers; but the statement required explanation, and if the hon. Member for Northampton were not now in his place he would give notice that on the reassembling of the House he would ask him whether the statement were correct, and if the answer were in the affirmative, what steps he meant to take with regard to it.

MR. BLACKBURN thought, as the hon. Gentleman had brought this matter before the House, it would have been as well if he had called attention to the first part of the paragraph. It began thus:—

> "Mr. Dennis, the legal adviser of Mr. Vernon Smith, stated that he had had an interview with the right hon. Gentleman, at which he was informed that, as a mark of Her Majesty's personal appreciation of Mr. Vernon Smith's services during his administration of the affairs of India, and in consideration of the gross scurrility, foul abuse, and most unwarrantable attacks that had been made upon him during his tenure of office, Her Majesty thought it right that some distinguished mark of her approbation of those services should be conferred upon him, and therefore Lord Palmerston informed him that his elevation to the House of Lords was a matter for his acceptance or rejection."

That statement also required some explanation.

MR. HADFIELD thought that notice ought to have been given to the parties affected before the subject was brought forward.

MR. BOUVERIE pointed out that the two statements brought under the notice of the House were essentially different. That mentioned by the hon. Member for Beaumaris (Mr. O. Stanley) if it were correct, involved a distinct breach of the privileges of the House, and might bring upon the parties concerned the strongest condemnation of the House. The other statement referred to by the hon. Member for Stirlingshire (Mr. Blackburn) related to a matter with which the House had nothing whatever to do.

SIR H. WILLOUGHBY said, he thought the discussion ought not to be proceeded with until the parties concerned were present.

MR. T. DUNCOMBE said it did not appear to him that the hon. Member for Northampton was the person to be applied to. The proper person was the person who published the statement; and he thought his hon. Friend would do well to ask the Speaker to issue his summons to the person who had published that statement to attend at the bar of the House and to ask them on what authority they had published it. If they asked the hon. Member whether he had been offered a pecuniary bribe for the vote which he was to give on a recent occasion, he had no doubt they would be told that it was all a mistake. He would therefore move that the editor be summoned to the bar, and asked on what authority he dared to make such a statement. That would bring the matter to a proper test. As to what the hon. Member for Stirlingshire had stated, they were two distinct subjects. It seemed to be a squib against the proceedings of the late Government, but had nothing to do with the privileges of this House, while the other statement was a direct breach of them.

Colonel DUNNE thought that if the House took notice of all the statements made in newspapers, it would waste a great deal of its time. He himself spoke feelingly on the subject, because there had appeared in *The Times* newspaper on one or two occasions lately a gross accusation against himself, which was entirely destitute of foundation. It accused him of having gained his election under a false pretence, by stating that he had voted against the Ecclesiastical Titles Bill, when, in fact, he had voted for it. He certainly had told his constituents on the hustings that he had voted against that Bill, and as certainly he had never voted in favour of it. He never had denied that he had voted for its introduction, and also on various clauses; but he had voted on these clauses as had many others, and in a manner which at least could not be displeasing to Roman Catholics, or inconsistent with opposition to the Bill: and, though it had been asserted, and his name certainly appeared in the division list on the Motion that the Bill do now pass—he did not believe that he had voted in that division. There was a mistake somewhere—how he could not tell; but he did not believe that he had voted as he was represented to have done. But he had actually voted against the Bill on Mr. Urquhart's Motion, which was the only one which was near destroying the Bill, and which attacked the motives of the Government in bringing forward the Bill as well as it principle. Was he likely afterwards to have voted "that it do pass?" It never was asserted that he had voted for the first, the second, or the third reading, but that after having voted against it, that he voted on the very unusual Motion that the Bill do pass. There had been much confusion in the House that night, and mistakes were likely to occur when the division was taken. Such mistakes occasionally occurred, and, if not corrected by a Member himself, his vote must remain. Neither were the exceptions made in the Amendments brought forward by Mr. M'Cullagh nor Mr. S. Crawford, as he thought, judicious, for by making exceptions they evaded the question of toleration which should be uniform in every part of the kingdom, and in voting against these Amendments he gave no approbation to the Bill. He was the more confirmed in this persuasion, because immediately after the division, eight years since, he went to his constituents, who, on the ground of his opposition to that Bill, held a meeting to make arrangements to reject him and to choose another representative. But he was not alone in this conviction, for he had lately received from the electors of Portarlington two addresses. One from the Protestants, who had felt angry at his opposition to the Bill, stating their then intentions of seeking another candidate, and the remonstrance they had conveyed to him for it, and adding, that he had never denied that he had opposed that Bill as he might have done, but defended the vote he had given against it. The other address was from the Roman Catholics of the borough, who stated that they had approved of his opposition to the Ecclesiastical Titles Bill, of which they were convinced at the time. He therefore had asserted only what he felt convinced was the truth—and still felt convinced was the truth. He was quite sure that no one who knew him would believe that he was capable of the baseness of going upon the hustings and telling a deliberate untruth. He opposed the Bill at the time, because he held that it was not founded upon the principles of religious toleration which he had ever supported; and, therefore, he would not vote for it, though he was threatened, as he had stated, with opposition in consequence of his vote, and then, eight years since, never defended himself by saying he had voted for it. But at the late election there was no opposition against him worth the name; there was no candidate that was to be feared, and therefore he had not even an object in telling the untruth with which he had been charged. He begged pardon of the House for having occupied their time with such a question, but as *The Times* had lately reiterated the calumny, he thought he ought to put himself right with the House and the country.

Mr. CLIVE thought it was impossible to proceed any further in this matter without a formal notice of a breach of privilege, and producing the name of the paper and of the editor. There was no accusation against the hon. Member for Northampton, and he thought the matter had better be allowed to drop.

Mr. LOCKE KING said, that if there was nothing that affected the character of the hon. Member for Northampton, there was something that seriously affected the character of the House, and it should not be allowed to drop. He suggested that the hon. Member for Finsbury should move that the writer of the charge be summoned to the bar on the next day that the House meet.

MR. T. DUNCOMBE said, he himself was not prepared with the names of the paper and the editor, but he still maintained that that was the proper course to pursue. It was totally impossible that the matter could remain where it was, and the editor of the paper which had dared to publish this statement ought to be required to furnish his authority.

MR. SPEAKER: The question now immediately before the House is, that the House at its rising do adjourn until the 30th instant, and it would not be proper to introduce such a subject as this on a question of adjournment. If the House should be of opinion that any breach of privilege has been committed, or if any hon. Member should make any formal complaint of a breach of privilege, the proper course to pursue is to lay the newspaper on the table with the name of the editor, and on that the House may give such orders as it thinks fit. These are indispensable preliminaries to any further proceedings.

MR. O. STANLEY intimated that he should be ready to take that course at the proper moment, and

Motion *agreed to*.

House at its rising to adjourn to *Thursday*, 30th June.

[Afterwards.]

MR. O. STANLEY said, that as the hon. Member for Northampton was now in his place, perhaps he would at once answer the question, of his intention to put which at the next sitting of the House, he (Mr. Stanley) had given notice. The question was, whether there was any truth in the following statement, which, according to *The Times*, was made by a Mr. Dennis, the legal adviser of Mr. Vernon Smith, at a meeting of the Liberal electors of Northampton, held at that place on Monday evening last—namely,

> "While in London he had also had an interview with Mr. Charles Gilpin, their other representative, who had accepted the office of Secretary to the Poor Law Board. As an illustration of the agencies that had been at work during the late struggle, Mr. Gilpin showed him two letters which he had received from the agents of the Tory party, and in which a direct attempt was made to corrupt Mr. Gilpin in the discharge of his duty as a Member of Parliament, and to influence him in giving his vote upon the last division, by offering to him a pecuniary consideration of the grossest and most direct character."

MR. GILPIN said, that he should have been glad to have had notice of this question before being called upon to answer it; but as the question had been put, he could have no hesitation in replying to it. In the publication of this statement he had no part, directly or indirectly. He had had no opportunity of reading the Report in *The Times*, but, as far as he understood the gist of it, it was that he had shown letters to Mr. Dennis—who was a man of standing in Northampton, and quite able to answer for himself—conveying the impression that he (Mr. Gilpin) had received offers from the agents of the Conservative party intended to bias his vote in that House. Now, it was perfectly true that he had received letters, the tendency of which, if attended to, would have been to bias his vote in that House. Those letters he showed to certain of his friends, and he never thought of recurring to the matter. At the same time he was bound to say, in the most unequivocal manner, that he had no proof whatever—he never said that he had any proof whatever—and he was not prepared to say that he had any belief that these offers came from recognized agents of the Conservative party. They were made in the shape of suggestions, and in such a way that he should not have alluded to them in public. He hoped that the House would consider this as satisfactory an answer as he could give under the circumstances. Had he received notice of the question he might have entered into a fuller explanation.

MR. BRADY thought that the hon. Gentleman ought to state what were the propositions which were made to him.

MR. O. STANLEY said, that he would defer putting his second question until the next sitting. That question was, whether the hon. Gentleman intended to take any further steps with regard to this matter.

MR. GILPIN said, that the House was the best judge, but he did not think that this was a subject which need occupy any more of its attention. As far as he was concerned, he was not prepared to take any further steps in the matter. On receiving the letters he showed them to those hon. Gentlemen with whom he was accustomed to act, and asked whether, considering the peculiar circumstances under which they had come into his hands, he ought to take any notice of them. He received their advice that he should not take any notice of them. He had acted on that advice, and he intended to abide by it.

Mr. O. STANLEY then gave notice, that he should take time to consider what further measures ought to be adopted for the vindication of the characters of Members of that House.

FOREIGN-OFFICE RETURNS.

QUESTION.

Mr. T. DUNCOMBE asked the late Under Secretary for Foreign Affairs why certain Returns which he had moved for on the 9th instant had not yet been presented? The Returns related to the instructions given to the British officers accompanying the French, Sardinian, and Austrian armies in Italy; they were very brief, and he could not understand why they had not been laid upon the table.

Mr. FITZGERALD said, that the Motion, when agreed to, had not attracted the attention of the Department, and, as there was some difficulty in making the Returns, it had been thought better by the retiring Government to leave the matter to their successors to arrange. Perhaps the hon. Gentleman would recur to the subject when the noble Lord the Member for London again took his seat.

MINISTERIAL APPOINTMENTS—NEW WRITS.

On the Motion of Mr. Brand new writs were issued

For Tiverton, *v.* Right hon. Visct. Palmerston, First Commissioner of the Treasury.
For Oxford University, *v.* Right hon. W. Ewart Gladstone, Chancellor of the Exchequer.
For London, *v.* Right hon. Lord John Russell, Secretary of State.
For New Radnor, *v.* Right hon. Sir George Cornewall Lewis, Secretary of State.
For Wilts (Southern Division), *v.* Right hon. Sidney Herbert, Secretary of State.
For Halifax, *v.* Right hon. Sir Charles Wood, baronet, Secretary of State.
For Morpeth, *v.* Right hon. Sir G. Grey, bart., Chancellor of the Duchy of Lancaster.
For Ashton under Lyne, *v.* Right hon. T. Milner Gibson, Commissioner of Poor Laws.
For Oxford City, *v.* Right hon. Edward Cardwell, Chief Secretary to the Lord Lieutenant of Ireland.
For Lewes, *v.* Right hon. Henry FitzRoy, First Commissioner of Works.
For Calne, *v.* Right hon. Robert Lowe, Vice President of the Committee of Council on Education.
For Devonport, *v.* Right hon. James Wilson, Vice President of the Board of Trade.
For Newcastle upon Tyne, *v.* Right hon. Thomas Emerson Headlam, Judge Advocate.
For Wolverhampton, *v.* Sir Richard Bethell, Attorney General.
For Reading, *v.* Sir Henry Keating, Solicitor General.
For Edinburgh City, *v.* Right hon. James Moncreiff, Lord Advocate.
For Ennis, *v.* Right hon. John David FitzGerald, Attorney General for Ireland.
For Cork County, *v.* Rickard Deasy, esquire, Solicitor General for Ireland.
For Kerry, *v.* Right hon. Viscount Castlerosse, Treasurer of the Household.
For Wigtown District of Burghs, *v.* Sir William Dunbar, baronet, Commissioner of the Treasury.
For Clonmel, *v.* John Bagwell, esquire, Commissioner of the Treasury.
For Bedford Borough, *v.* Samuel Whitbread, esquire, Commissioner of the Admiralty.
For Cork City, *v.* William Trant Fagan, esquire, deceased.
For Norwich, *v.* Right hon. Viscount Bury, Comptroller of the Household.
For Monmouth County, *v.* Colonel Edward Arthur Somerset, Chiltern Hundreds.

SANDWICH WRIT.

Motion made, and Question proposed—

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Baron to serve in this present Parliament for the Town and Port of Sandwich, in the room of Edward Hugessen Knatchbull-Hugessen, esquire, who, since his election for the said Town and Port, hath accepted the Office of one of the Commissioners for executing the Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland."

Mr. STEUART moved that the Clerk should read any petition that might have been presented against the Return.

Petition of John Ralph and Henry Langley [presented 21st June], complaining of an undue Election and Return for the Town and Port of Sandwich, read.

Question again proposed.

Mr. STEUART said, that he had intended to move as an Amendment the suspension of the writ, supposing that the petition claimed the seat for the unsuccessful candidates; under which circumstance, it was not in conformity with the practice of the House that a new writ should be issued. As that was not the case, however, he was not prepared with any precise precedent in point; but he thought that the House ought to be informed what would be the consequence if the gentleman whose return was now petitioned against should be re-elected, and the Committee upon this petition should decide that he had been guilty of bribery. Having directed the attention of the House to the subject—which seemed to him to be one of some difficulty and importance—he left the matter in the hands of more experienced Members; but he hoped that Mr. Speaker would favour them with his opinion as to what would be the effect of election of the same or any other Gentleman pending the prosecution of a petition.

Mr. CLIVE said, that the circumstance of the seat being claimed or not claimed made, in his opinion, all the difference in the world, because he believed that there was no authority for suspending a writ under circumstances of this description, when the seat was not claimed. A precedent, however, occurred the other way in December, 1852, in reference to the Southampton election, when the seat not being claimed it was decided that the writ should issue.

Mr. WHITESIDE asked what would be the effect, supposing the decision of the Committee to be that the gentleman now petitioned against had been guilty of bribery, and in the meantime he should be re-elected?

Mr. SPEAKER said, that the case appeared to be precisely similar to that which occurred in 1852, in the Southampton case, when, upon the question of the issue of the writ, the matter was fully discussed in that House. The course pursued in that case, therefore, would be a good precedent and rule for the House to follow, unless subsequent events had occurred which should induce a contrary decision. In that case there was a petition against Sir Alexander Cockburn—it was, indeed, rather a stronger case than the present, because the petition was, he believed, in a more advanced stage; and when the writ was moved the point entirely turned upon the question of whether or no the seat was claimed by the petition. As upon that occasion the seat was not claimed, the House directed that the writ should issue. In that case the petition was proceeded with; the Committee sat and gave its verdict, and there would be no difficulty, he should presume, in pursuing the same course in the present instance. The hon. and learned Member who had asked him a question on a point of law would be fully competent himself to answer what the result would be of the decision of an election Committee. He did not know that it was necessary for him, therefore, to give any opinion on the subject. The Committee would be appointed and would give its decision, and if the Member petitioned against should be declared to have been guilty of bribery, he would be subjected certainly to the consequences of such conduct.

Mr. HUNT suggested, as the case was one of considerable difficulty, that the issue of the writ should be suspended until an inquiry could take place. If the hon. Member should be re-elected, and the Committee upon the pending petition should afterwards decide that he had been guilty of corrupt practices, this extraordinary state of things would arise—that he would actually have taken his seat for a place for which he was ineligible to be a candidate.

Mr. BOUVERIE thought that there could be no pretence for postponing this writ, and that the Southampton case afforded a clear precedent. Upon that occasion Mr. Hayter moved that a new writ should issue for the election of a member in the room of Sir Alexander Cockburn; whereupon Colonel Forester asked the opinion of the then Mr. Speaker as to whether a new writ could issue pending a petition against the former return. Upon which Mr. Speaker said, "that in the case of an election petition complaining of an undue return, or of the return of a Member in consequence of bribery, but not claiming the seat for another person, it was competent for the House to order a new writ to issue," adding, that in the case where the petition claimed the seat for another person, "it is not competent for the House to order a new writ to issue, inasmuch as the House in that case cannot know which of the two persons claiming the seat had been duly elected." No difficulty or inconvenience would result from issuing the writ in the present instance, because if the hon. Member should be opposed and returned, and in the meantime found guilty of bribery upon the pending petition, he would be disqualified from sitting in the present Parliament, and therefore from being a candidate at the second election, and the gentleman next on the poll would be entitled to be returned.

Mr. T. DUNCOMBE said, that there was a great constitutional principle involved in this question. The petition in this case was of the most sweeping description; the whole borough was charged with corruption—electors and elected alike. It was not, therefore, a question merely as between the House and the Members, but as between the House and the borough of Sandwich. He would refer to his own case of Hertford in 1832, as a precedent directly in opposition to that of Southampton. Upon that occasion he, being the unsuccessful candidate, petitioned against the two noble Lords who were returned. He did not claim the seat, but he alleged that great corruption had been practised by the sitting Members, and that the borough had been guilty of great corruption. The Committee sat, and in due time reported that great corruption did prevail in the borough of Hertford; and the House thereupon suspended the issue of the writ for the remainder of that Parliament, which lasted between two or three years. Supposing that a similar case of corruption should be established against Sandwich, and that the great majority of electors who had returned the hon. Member to Parliament had been bribed, he wanted to know what redress the House would have over the corrupt borough if they at once issued a writ for the election of a new member? In the case of Harwich also, which was a most notorious borough, the same thing had occurred, and no writ was issued for some time.

Mr. M'MAHON said, it appeared to him that the issuing of the writ would be open to another objection. If Mr. Hugessen should again stand for Sandwich, and should obtain his re-election by a majority of one hundred to one, but should subsequently be declared incapable of sitting in consequence of a decision of the Election Committee, the opposing candidate would become the actual representative of a constituency in which he had only obtained the support of a very inconsiderable minority of the constituent body. That would be a result which it would evidently be desirable, if possible, to avoid, and he thought that in a case of that kind they ought to proceed with great caution, and to disregard the precedent of 1852. Under those circumstances it appeared to him to be desirable that they should postpone their decision upon the question, and he should therefore move that the debate be adjourned for a month.

Motion made, and Question proposed, " That the debate be now adjourned."

Mr. BRAND could not admit that the Hertford case was at all in point, because there an inquiry had taken place before an Election Committee, who reported that corrupt practices had prevailed to a considerable extent; and the writ therefore was, very properly, suspended. But in this case there had been no proof of corrupt practices, and it would be an extraordinary thing to suspend a writ upon a mere assumption. Moreover, in the event of corrupt practices being proved to have taken place at the last election for Sandwich, it would be competent for the House to deal with the borough for those practices, whether the writ proceeded now or not. He trusted, therefore, that the House would not sanction the Amendment of the hon. and learned Gentleman opposite, but would at once direct the issue of the writ.

Mr. OWEN STANLEY supported the Amendment. In the Barnstaple case, he observed, there had been a very similar petition to the present; but when the Committee came to inquire they found that a great many electors had been actually bribed. A Commission was then appointed to inquire into the electoral state of the borough, and the result was that very many persons were struck off the list. If a similar result should follow in the present instance, it might appear that a Member had been returned by the votes of those whose unworthy exercise of the franchise required that their names should no longer remain upon the register.

Sir WILLIAM JOLLIFFE was of opinion that the rule which the Speaker had laid down, founded upon the precedent of 1852, was sufficient for the guidance of the House upon the present occasion. But there was another point involved in the matter which might require further consideration, and that was the effect which would be produced under the Corrupt Practices Act. His view was that the issuing of the writ would not at all interfere with the litigation of the allegations—and at present they were only allegations—contained in the petition, for nothing had yet been proved against the sitting Members of the borough. On this account the case was quite distinct from that either of Hertford or Barnstaple. If corruption should be proved before the Committee the disqualification would take effect against both elections; and he did not see, therefore, that justice would be impeded by the issue of the writ. Under these circumstances he saw no objection to the Motion.

MR. T. DUNCOMBE said, that the proceedings in this case had, no doubt, not yet arrived at the point they reached in the Hertford case; but he had put the event of wholesale corruption being proved, and then had asked what remedy the House would have against the borough if, in the meantime, the writ were issued?

MR. CRAWFORD said, that in the case of Harwich he himself was the Member who had been unseated. He had been unseated, however, not on account of bribery, but because the poll had been closed three minutes before the proper time. The hon. Member for Finsbury had told them that Harwich was notoriously one of the most corrupt of our constituencies, but he could state that he had himself twice contested the borough, and that he had not upon either occasion spent more than £300.

MR. WHITESIDE would admit the applicability of the precedent of 1852 but for the subsequent passing of the Corrupt Practices Act. The object of that Act was not to benefit individual Members, but to protect the House and put down and punish bribery. It provided that if any candidate should be declared by an Election Committee guilty of bribery or undue influence such candidate should be incapable of being returned at any election which might thereupon take place. Yet while the eligibility or ineligibility of a gentleman to be elected depended upon the decision of a Committee, they proposed, pending the investigations of the Committee, to issue a new writ.

MR. MELLOR trusted that the House would treat the question in a judicial, and not in a party spirit. The circumstances were admitted to be precisely the same as in the Southampton case, with the exception that since that time the Corrupt Practices Act had been passed. But that Act had introduced no alteration whatever in the law in this respect; because a person declared by an Election Committee to have been guilty of bribery was just as ineligible to be a candidate at the next election before the passing of that Act as since. As, then, the law of Parliament was made up of precedents he saw no reason for disturbing that of 1852.

MR. STEUART thought, that the difference of opinion which had been expressed by hon. Members showed the necessity for the further consideration of this question; and he therefore suggested that the issuing of the writ should be deferred at least till Thursday week.

MR. DANBY SEYMOUR was also of opinion that it would be well to postpone the issuing of this writ.

MR. BOUVERIE pointed out that in all previous cases in which the issuing of writs had been suspended that course had been adopted after proof of corruption before an Election Committee. In this case, there had as yet been no such proof, and the electors of Sandwich were therefore entitled to the writ which would enable them to be represented in that House. He hoped that all hon. Members who had a regard for the law of Parliament, for the regularity of its proceedings, and for the security of their own seats would resist the Motion for delay in this instance.

MR. HUNT asked the Speaker to state whether if Mr. Hugessen were re-elected, and a Committee afterwards declared that he had been guilty of corrupt practices, his seat would be vacated without a fresh petition.

MR. SPEAKER said, that in the case of 1852, the Election Committee proceeded to investigate the allegations of the petition precisely as though no second election had taken place. It would be perfectly competent to the Committee to take the same course in the present instance; and the proof that Mr. Hugessen had been guilty of bribery would incapacitate him from sitting in Parliament after his second return. He had been asked whether the Corrupt Practices Act altered the law affecting this case. As far as he could judge, after looking at the Act, it did not make any difference. The same disability attached to the Member under the old law as attached to him at present. If he was proved guilty of bribery he was then, as he was now, unable to sit in the existing Parliament. It was not for him (Mr.

House of Parliament during the present Session. And even if it could be passed through the other House, I am quite sure your Lordships would feel that you were treated with a great want of respect if you were asked to consider a measure of so much importance as that at a time when it was utterly impossible to expect a full attendance in this House. Therefore, with regard to the question of Parliamentary Reform, I have only to state that it is one of the subjects which will engage the most anxious consideration of Her Majesty's Government, and that they will think it both their duty and their privilege to bring it before Parliament as soon as Parliament shall meet again. There is another subject connected with home affairs which greatly occupies public attention at this moment. I allude to the national defences. There have been rumours of a perfectly unfounded character with regard to the intentions of the Government as to the naval defences. I am happy to say that the notice which my noble and learned Friend (Lord Brougham) has given of asking a Question on that subject to-morrow will give an early opportunity to the noble Duke now at the head of the naval department (the Duke of Somerset) to show that no imputation whatever can be thrown on Her Majesty's Government with reference to our naval defences. Her Majesty's Government think that this country should be in a proper state of defence. Nothing can be more deplorable than the system of all the great European nations arming one against another, spending their money in great armies and great fleets, and thus driving each other into useless expenditure, and taking away from the productive labour of the respective countries. But this is a question that cannot be settled by one nation alone; and this country is not so separate, commercially, or politically, or, I will add, geographically, from the other parts of Europe as to justify one of the most powerful and most wealthy of nations, in not making a proper expenditure, not only to place it in a proper state of defence against invasion—as to which I see no possible ground for alarm—but also to make an invasion of it an impossibility, and to place it in that position which will give it weight in diplomatic considerations with regard to the settlement of the present anxious state of foreign affairs—It would be quite out of place for me to go back into the grounds or occasions of the war in Italy. The great difficulty with regard to our foreign affairs at this moment appears to me to be the avoiding any false step which might entail fatal consequences upon Europe and upon this country. But there are not two courses open to us. It is the opinion of all the statesmen of both parties—both those connected with the late Government and those connected with this side of the House—and it is certainly the opinion of the great majority of the people of this country, that it is the duty of Her Majesty's Government to maintain a strict and *bonâ fide* neutrality with reference to the war in Italy—to use every endeavour to keep this country out of war, but at the same time, if possible, and as early as possible, to restore peace to Europe. I think your Lordships will agree also that the proper way of doing so is not by taking the earliest opportunity of intermeddling—not by frittering away our influence by making propositions which one or perhaps both parties would refuse to accept—but by watching carefully and considerately—by taking care that not one opportunity of conciliation should be allowed to escape—by taking a statesmanlike view of all the circumstances which attach to the situation, so to bring our influence to bear either alone, or, what would be much better, in co-operation with the other Powers of Europe, as to secure not only a present peace, but an arrangement that would be likely to be permanent—an arrangement that would not be dishonourable to either party, at the same time that it consulted the happiness of the populations. I am sure that in following out these opinions we shall meet with no opposition from your Lordships. The noble Earl opposite (the Earl of Derby) on the occasion of his announcing to your Lordships his resignation of office, stated that it was not his intention to offer any factious opposition to Her Majesty's present Government. I am afraid, my Lords, the past history of parties shows that these promises, so often made on both sides, however sincerely they may be made at the time, are not such a perfect rock that it would be wise for any Government to build on them their house. But I admit that it is a wise, dignified, and graceful tone for a Minister to adopt on leaving office; I accept it as acknowledging the general opinion, both in Parliament and the country, that the Queen's Government must be carried on, and though I do not hope that the noble Earl's forbearance will endure for any long time upon mere party questions, yet I derive from his statement the greatest possible assurance that whenever the national interests of the country do require it, all parties in the State, as heretofore, will be found unanimously aiding in whatever is requisite to maintain the real interests and honour of the country.

Lord BROUGHAM addressed a few words to the House which were not heard.

The Duke of RUTLAND said, he was glad to hear from the noble Earl that Her Majesty's Government intended to pursue a course of strict and *bona fide* neutrality. He hoped it would be so; but he could not but recollect a remarkable statement made by the noble Lord the new Secretary of State for Foreign Affairs to the electors of the City of London, in which he told them that the present war, which they all lamented, was mainly owing to one Power, and that that Power was Austria. For his part, he thought that statement was not borne out by the facts of the case, and that it was not in accordance with the maintenance of a strict and *bona fide* neutrality. He thought it was not owing to Austria that the present war was commenced; he did not think, either, that it was owing to the Emperor of the French; but he thought is was owing to another Power, and that that Power was Sardinia. He found in the Correspondence lately laid before them a statement made by Count Cavour, that though the conduct of Austria was not contrary to the faith of treaties, it was contrary to the great principles of equity and justice on which social order rested,—it was opposed, also, to all the precepts of modern civilization. Now, previously to that he had stated that Sardinia intended to make good against the Austrians the complaints which had been urged against them, at the same time that Sardinia admitted that Austria had violated no treaties. But if it had come to this, that treaties were not to be respected, and that each individual State was to judge of the justice and equity of the government of a country that she admitted had not acted contrary to treaty, how was it possible for the peace, tranquillity, good government, and liberty of any nation to be preserved? Treaties were no doubt of value in protecting the strong against the weak; but they were of infinitely more value in protecting the weak against the strong. It was Sardinia herself that was most interested in the maintenance of the treaties of Europe; because it was by the treaties of 1815 alone that the Sardinian monarch reigned over his people. He begged pardon for thus anticipating the discussion that was to be raised in their Lordships' House on next Friday fortnight, but that period seemed to be so distant, and the events were so momentous, that he could not help taking the opportunity of referring to the question now.

Lord STRATFORD DE REDCLIFFE explained that, at the request of the Government, he had fixed Friday week, instead of Friday fortnight, for bringing forward the subject.

The Duke of RUTLAND was anxious, at all events, to take that opportunity of thanking his noble Friend below him (the Earl of Malmesbury) for the moderation and patience, combined with firmness, ability, and indefatigable industry, which he had displayed in his endeavours to maintain the peace of Europe. Unhappily, his noble Friend was not successful in achieving that object; but at all events he did succeed in maintaining a strict and an impartial neutrality, and in keeping England free from the horrors of this war. And it was at that moment when war had broken out, when two great Powers and one smaller one had engaged in this deadly conflict; when no one could tell where it would end, or on what shore the wave of war might next break—it was at that moment, when his noble Friend represented fully and impartially the public opinion in this country, that Her Majesty's Opposition felt it their duty to turn out the late Government, in order—not more fully to represent the policy which had been fully represented by his noble Friend—but that they might, by some fortuitous chance, form another Government, which would equally carry out the policy so ably followed by his noble Friend. Well, they had succeeded in forming a Government. Of the talents of its members and the integrity of their motives he wished to speak with the greatest possible respect; but he must be allowed to remark that, in consequence of that unfortunate step, the country had been left two weeks or more without a Government, whilst even now two of the most important offices in the State were not filled up; one because we did not yet know whether the constituency would return the right hon. Gentleman (Mr. Gladstone) to the House of Commons; the other because we did not know that the hon. Gentleman (Mr. Cobden) would consent to join the

Government. He (the Duke of Rutland) did not know whether Mr. Cobden had accepted the office for which he had been named; but having listened to the speech of his noble Friend opposite to-night he rejoiced to hear his noble Friend's assurance that the armaments of this country were to be kept up, so that not only should there be no invasion, but not even the possibility of an invasion. Their Lordships, however, would permit him to read to them an extract from a speech which had been made by Mr. Cobden on his arrival at Liverpool, which certainly did not agree with the admirable sentiments of his noble Friend. In that speech Mr. Cobden said:

> "I have heard it remarked that they (the Americans) look with dread to the amount of preparation making in England, for, what is said by these gentlemen who speak in public, the purpose of preparing to meet any eventualities. The opinion of the United States is that war between two great powers on the Continent does not necessarily involve more danger to England than if they were at peace, and both had large standing armies unemployed. I once heard this question put—Suppose I was at sea in a merchant vessel; I should feel much more comfortable if I saw two pirates fighting each other, than I should if I saw them standing aloof, and both ready to fall upon me. And that is just the case in this war. I do hope that you, the people of England, having now taken the initiative, that you will keep the power in your own hands, and I hope that the executive government, and that the governments of foreign powers, will come to know that we will not on this occasion allow the blood and treasure of this country to be diminished and wasted for any chimerical or dynastical objects whatever."

He rejoiced most sincerely when he heard the noble Earl opposite state that the armaments of this country were to be kept up, so as not only to meet but to prevent the possibility of invasion. Now, as he had already stated, he did not know whether Mr. Cobden had declined or accepted office; but if the hon. Gentleman had accepted office, he hoped he would renounce such opinions as he had expressed at Liverpool and adopt those of his noble Friend opposite. He (the Duke of Rutland) thought that this country ought to be prepared for any and every eventuality. He hoped, however, that we should be able to keep out of this fearful conflict, but he said that we ought to be prepared: not that he doubted the sincerity of the Emperor of the French, but that the Emperor of the French was no longer master of the situation. The passions of the French army had been roused, and he could not now say to it, "so far shall you go and no further." He readily admitted that the Emperor of the French had carried out his policy towards this country in a spirit of loyalty and of frankness for which we must ever feel grateful to him; but he felt that he was no longer able to say, "I will restrain the French army from going further;" and no one could now tell what events might next take place.

THE EARL OF MALMESBURY: I would not trouble your Lordships with any remarks this evening were I not otherwise obliged to wait some time before I could have the opportunity of answering certain charges, as I must call them, which have been made by a very eminent Member of Her Majesty's present Government—I mean the Prime Minister—in "another place," with respect to that part of the policy of the late Government for which I was particularly responsible. On the last occasion that we met in this House my noble Friend opposite, the President of the Council, did not indeed make any charges upon the policy which I had felt it my duty to carry out; but he made two or three insinuations of neglect with regard to which I think he will be ready now to confess that he was mistaken. He insinuated, in the first place, that Her Majesty's late Government had not adopted in time such measures as were desirable for the purpose of preventing the collision which eventually took place between Austria and France, and Sardinia. My noble Friend, evidently with the conviction in his own mind that such had not been the fact, asked whether I had taken any practical step before the month of February, and within three weeks afterwards, to put a stop to the unfortunate state of things which then existed. My noble Friend will, I am sure, if he has had time, and has taken the trouble to read the book I have placed upon your Lordships' table, be candid enough to say that we did all we possibly could at the period to which he alluded to prevent the subsequent events. It was as early as the 10th of January that the late Government addressed both the Courts of Paris and Vienna entreating them to come to some understanding; they being, as we believed, the only two Powers who, by acting in concert, could stop the calamities we foresaw, and which have since ensued. I shall not trouble your Lordships with any extracts from these despatches. They are within your own reach, and you can read them for yourselves; but I do not believe that any language could be stronger, or any advice more candidly put forward, than that which was lately addressed by the late Government to those two Courts on that occasion. My noble Friend then went on to insinuate that Lord Cowley's mission to Vienna was invested with great mystery and confusion, and that there were no definite objects in the mission which had come to the knowledge of the Emperor of the French. Now, your Lordships will find in the blue-book that before Lord Cowley quitted Paris he had a personal interview with the Emperor, who consented to the drawing up of a memorandum of the points which he wished to be settled with the Court of Austria; that with this in his possession Lord Cowley repaired to Vienna; and that nothing could be more exact and definite than the points the statement of which Count Walewski, the French Minister for Foreign Affairs, handed to Lord Cowley when he left Paris. I am sure, therefore, that upon that point also my noble Friend will acknowledge that he was in error. But, my Lords, I am not aware that my noble Friend, when he made that speech, laid any such stress upon what he considered these obscure points in our foreign policy as to say that the late Government ought to be excluded from office on that account. My noble Friend confined himself to the expression of a hope that the supposition on which his statement was based was not true. But there are other Members of the present Ministry who were not content to pursue a similar course. The noble Viscount at the head of the Government himself did not scruple to use in "another place" language to which I shall, with your Lordships' permission, briefly refer. He was, in the course of the speech in which that language occurs, attempting to show that the late Government was not entitled to the confidence of the country, and to adduce proofs that they ought to be immediately ejected from office as unworthy to give counsel to the Sovereign. The ground on which he based his argument as to their incapacity to discharge that duty was this:—He said,

> "The course which the Government has taken has brought on war. They are the cause of the present hostilities."

And how, in his opinion, had we produced this result? By the use of language hostile to France and Sardinia and by patronizing Austria. He said we held out hopes of supporting Austria against France; that we were ignorant that Austria was determined on war, and that France was not prepared for it; and, that being the case, that the breaking out of war was attributable to us, and that we were as a consequence no longer fit to hold the seals of office. Now, my Lords, if this imputation be correct—if we were in reality the cause of this dreadful war, no verdict could be more just than that which the noble Lord asked the House of Commons to pronounce. But let me for a moment endeavour to show your Lordships how reckless is the language which the present Prime Minister has deemed it not unfit to use, and how totally he must have neglected to look into any source of information by means of which he could arrive at a knowledge of the real facts of the case. He went on to say, on the occasion to which I allude:—

> "I cannot but believe that friendly, firm, but temperate language would have induced Austria to pause, and to abstain from that act of aggression which, in the opinion of the noble Lord at the head of the Government, removed her from the position of a dignified conciliator to that of a criminal. It is plain Austria was alleging that her treaty rights in Lombardy and Venice were to be invaded. The Government might then have fairly said, 'Go into Congress. Let all the great Powers of Europe assemble, and we will stand by you in negotiation in maintaining your unquestionable treaty rights; but do you and France consent to withdraw all military interference and all improper administrative influence from countries which are not your own. Free the South of Italy from military occupation and from dictation to Governments, and let the Italians and their Governments deal with each other as independent nations invariably do.'"—[3 *Hansard*, cliv., p.180.]

That is the course which the present Prime Minister thinks we ought to have adopted; that is the language which he thinks we ought to have used. And what will your Lordships say when I tell you that it is almost *verbatim* the very language which we did use, and which we have stated we had used? On the 10th of January last, I wrote to Lord Augustus Loftus, Her Majesty's Minister at Vienna, in the following terms:—

> "Your Lordship will frankly tell Count Buol that should such a struggle as we deprecate be the result of the present estrangement between France and Austria, England would remain a neutral spectator of the contest, and that in no case would public opinion in this country render it possible for her to assist Austria as against her own subjects, if the contest assumed the aspect of a revolution of her Italian provinces against her Government. The public opinion in England has a natural tendency to sympathize with Italian nationalities, but Her Majesty's Government believe that those sympathies would not be aroused to any active form against Austria, unless Austria

put herself patently in the wrong, and either became an aggressor or gave France or Sardinia a fair excuse for beginning a war. Her Majesty's Government do not deny that Austria has cause of uneasiness in Italy, but they maintain that it cannot be mitigated or removed by plunging into war with France or Sardinia. If Austria and France could be induced to take a just estimate not only of their own political interests, but of the course which would most effectually contribute to the happiness of the Italian populations throughout the whole extent of the peninsula, Her Majesty's Government feel that the work would be already half-accomplished, and the rest of Europe, instead of looking forward with anxiety to the future, would only have to congratulate itself on the prospect at length opening to them of Italian regeneration unstained by deeds of violence and bloodshed."

So, in those few short sentences we plainly told Austria that nothing would induce us to assist her in maintaining Lombardy against her own subjects, and urged upon her in the strongest terms possible—in the very language which the noble Lord at the head of the Government says we ought to have used—the expediency of entering into some agreement with France as to the best course to be adopted with the view of contributing to the happiness of the Italian States.

We said to Austria as the blue-book will show :—

"If Austria and France, laying aside mutual suspicion, were to join heartily with a view to promote by peaceful means the regeneration of Italy, their combined influence would speedily effect a change in their unhappy state of affairs, and contribute to establish confidence between rulers and their subjects."

Now, with respect to treaties, the language which I held in writing to Lord Cowley on the 26th of January was this :—

"The unceasing advice of Her Majesty's Government to Austria has been to keep strictly within the limits of treaties ; to avoid all causes of offence to her Italian neighbours ; to relax, as far as possible, all rigour towards her Italian subjects ; and to adopt towards France a friendly and conciliatory policy."

Yet, in the face of all this, the noble Viscount at the head of the Government says that we threatened France and Sardinia, while we patronized Austria and held out hopes to her that we would support her against France. The noble Viscount stated that we ought to have said to Austria, "Let all the great Powers of Europe assemble in Congress, and we will stand by you in the negotiations which may take place," but we did use the very language which the noble Lord says we ought to have adopted, for I wrote in these terms to Lord Augustus Loftus on the 30th March :—

"Her Majesty's Government entreat the Austrian Government not to approach this Congress with distrust and reluctance, but to take the lead in its formation, and when formed, in its deliberations. It will find in Her Majesty's Government a sincere ally, anxious to relieve it from unfair pressure, and to maintain its rights."

Yet it was on these statements that the noble Lord thought proper to base the accusation that we were unfit to hold the reins of office which he made against us in "another place." Your Lordships will, I trust, not think that I have acted unbecomingly in calling your attention at the earliest possible moment to the subject, and repudiating the charge which the noble Lord has brought against us. I shall not trespass upon your Lordships' time by commenting upon the language which was used on the same subject by another eminent Member of the Government—I mean the noble Lord the present Minister for Foreign Affairs (Lord John Russell). He spoke in much the same spirit as his noble colleague, though the terms in which he expressed himself were not quite so strong. I base my defence on the papers which have been laid on your Lordships' table, and they are my justification. I may, however, be permitted, before I sit down, to put a question to my noble Friend opposite. I was struck this morning by a passage in a speech which is said to have been made by a right hon. Baronet now Secretary of State for India (Sir Charles Wood) to his constituents at Halifax. It is not the first time that the right hon. Baronet, when occupying an analogous position, has exhibited less than might be deemed desirable of that quality of reticence which is supposed to be peculiarly adapted to a newly created Minister when taking his first step in that capacity. I think the right hon. Baronet has gone further than the noble Lord the Secretary for Foreign Affairs will approve. He is reported to have said :—

"We have seen recent accounts that in a large portion of Germany a strong spirit prevails by which they seem disposed almost to engage in hostilities. I hope and trust their own good sense, aided by our advice, which we have given them since we came into power, will induce them to abstain from hostilities."

Others of the Members of the present Government have also taken two or three occasions to declare that they intended to assume an attitude of rigid neutrality ; and I understand that such is the interpretation which is to be put upon the statement which my noble Friend opposite (Earl Granville) has made this evening. I wish, therefore, without further remark, to call your Lordships' attention to the nature of the step which, if the right hon. Baronet the Member for Halifax be correctly reported, has been already taken by Her Majesty's Ministers. It is a step, my Lords, which goes further than anything which the late Government did, and seems to me to be the first move towards leaving a position of absolute and complete neutrality. Those of your Lordships who have read the Correspondence will have seen that Her Majesty's late advisers most carefully abstained from giving Germany any advice with respect to her conduct in taking hostile measures or refraining from them. We confined ourselves advisedly and carefully to telling the Prussian Government and the Government of the other German States, that if they went to war before the Confederation was attacked they must not expect the slightest assistance from Her Majesty's Government. We thought it right and fair to tell them so, because no doubt there prevailed in Germany a hope and delusion which went so far as to make the people of that country believe that Her Majesty's Government would lend their aid to Germany in case she entered upon a war. The language which we used, however, is quite a different thing from advising Germany not to judge for herself, and not to make war, even though she may deem it to be necessary to her safety. The result of such a course may be that you may find yourselves committed by a moral obligation hereafter to support her, inasmuch as the people of Germany should their apprehensions be realized, may turn round upon you and say, "If you had left us alone, we should not be in this scrape." It is upon these grounds that I think the statement made by the right hon. Baronet the Member fur Halifax possesses a degree of importance which at the first blush it may not seem to wear. My object in alluding to the statement was to show your Lordships that it is really of some consequence, and, if it be not indiscreet, I should be very glad to know from the noble Earl, whether that statement is correct.

THE DUKE OF NEWCASTLE:—My Lords, no one can feel surprised that the noble Earl (the Earl of Malmesbury) should have taken advantage of the forms of the House to defend himself from accusations made against him in the performance of the duties which lately devolved upon him as Secretary for Foreign Affairs. At the same time I am sure your Lordships, as well as my noble Friend, will agree with me that upon this occasion it is unadvisable, not only for any member of the Government, but, I will add, for any member on either side of this House, to enter at length into the questions in the blue-book, considering that a notice has this evening been given which will bring on a full discussion of those questions so early as to-morrow week. And I say so the more, because, although I by no means deprecate such a discussion, I am certain your Lordships will concur with me in the opinion that these subjects can never be debated without some risk to the public service—can never be discussed, even in the temperate atmosphere of this House, without giving rise to expressions from one side or the other, which may, and in all probability will, endanger the future attempts of the Government to restore the peace that has been so unhappily broken. If, therefore, I do not refer to what has fallen from my noble Friend, he must not think there is any disregard of his position by the present Government; and I am certain when this discussion takes place, that he will find every member of the Ministry disposed to do him ample justice, and that no attempt will be made to represent to the House and the country any other than an anxious desire on the part of my noble Friend and his colleagues (whatever may be our opinion of the means which they employed) to preserve peace so far as it was possible to do so by any zeal on their part. My noble Friend has enjoyed within the last few days a privilege which has been wanting to me—I mean leisure to read the recent election speeches. Until, therefore, he quoted just now the speech of my right hon. Friend (Sir Charles Wood), I was not aware of the words which are said to have fallen from him, and I am not able to state whether they are accurately reported. Probably the report is perfectly accurate. If so, I can only say that the despatch which must have been alluded to does not bear the construction which my noble Friend deprecates. Whenever the papers are laid before the House—and of the next papers that will be laid on the table on this subject this will be one of the earliest—my noble Friend will find that the present Government have not incurred the risk he has spoken of, nor have they placed themselves in the position which he so justly reprehends. Your Lordships will perhaps allow me to take this opportunity of alluding to another topic. From some words which he quoted from the speech of the noble Lord the Secretary of State for Foreign Affairs, the noble Duke who just now addressed the House (the Duke of Rutland) appeared to fear that a difference exists between that noble Lord and my noble Friend the President of the Council, (Earl Granville) as shown in his speech this evening, with regard to the maintenance, during the present war, of a fair and honest neutrality. I assure the noble Duke that he will not be able to maintain his position. It is one thing to express an opinion as to the origin of the war—I am not saying whether such expression of opinion be prudent or not, but I think they are best avoided—it is one thing to say who is the cause of the war, and a very different one to exhibit an intention on the part of the person expressing it to take a partisan view of the present state of things. The noble Lord who is now at the head of the Foreign Department not only agrees with the President of the Council, but with every other member of Her Majesty's Government, in the determination to maintain an entire and strict neutrality without reference to who began the war, and who was originally to blame for its commencement. Our object will be to hold the balance between the belligerents, so that at the earliest opportunity, consistently with that neutrality, we may be in a position fairly to both belligerents and effectively as regards Europe, to introduce ourselves as mediators in this unhappy quarrel. I can assure my noble Friend, also, that whatever he might think of the two appointments yet left somewhat incomplete in Her Majesty's Government, with regard to one I think I can relieve my noble Friend's anxiety. I can assure him that there is a prospect of Mr. Gladstone, not only continuing a member of Her Majesty's Government, but also of becoming a member of the House of Commons in a few hours. With regard to the other hon. Gentleman, I cannot at present relieve my noble Friend's anxiety. I cannot state whether any answer has yet been sent by Mr. Cobden to Lord Palmerston. But this I can say, that if Mr. Cobden joins the Government, as I sincerely hope he will, he will join it with the full knowledge that it is the intention of the Government to maintain and strengthen the defences of this country,—not to provoke but to prevent aggression,—and not only not to relax, but if necessary to increase the efforts made by the late Government with that object. So that in any case, the noble Duke and the House may be assured, that whatever the important part we may be called upon to play—whether or no it be to offer terms of pacification to the other Powers of Europe—whatever may happen, the defence of the country will be in no degree or manner neglected. The noble Duke will, I think, find with regard to the speech of the Gentleman he has quoted (Mr. Cobden) that there is nothing inconsistent in the views of an hon. Gentleman, who while he not only hopes but believes that there is no fear of an invasion, nevertheless takes every precaution to prevent even its possibility, and to repel it if attempted. Different views may be entertained as to the probability of an invasion; but of this I am quite sure, that there is not one of your Lordships, and very few persons indeed in the country who do not believe it to be the primary duty of England at this moment to strengthen her defences and to be prepared for every emergency.

Lord HOWDEN thought the opinion of the Parliament on the present state of affairs at home and abroad could not be too soon known, not only to England, but to the Continent. Things were going on so quickly in Europe, that even in a week the discussion might be too late. He trusted that the observations he was about to offer would not be deemed unwise or indiscreet; but he thought at such a time it was the duty of every Member of their Lordships' House to speak out plainly; because he was of opinion, that if England had spoken out plainly in the first instance, this iniquitous war might have been prevented. He took the opportunity on the first night of the Session of calling their Lordships' attention to a startling declaration which appeared in the Manifesto of the Emperor of the French. It was possible the phrase he alluded to might have been inserted in the document in which it appeared, because it looked well to the eye and sounded well to the ear—which was a very common reason for much that was said and done and written in a neighbouring country. He received no answer—no explanation from Her Majesty's then Government—he hoped the present Government would give themselves the trouble of discovering whether that startling declaration meant anything or not. Having as much at heart as any man living, the real independence of Italy—the real practical independence of the whole country, and not a phantasmagoria evoked for the purpose of the hour—he was glad to have an opportunity of raising his voice against the very unholy means taken to arrive at a very holy end. He did not join with those who maintained that the means in such a case sanctified the end. He believed every man in England was in favour of the Italian cause, and wished it well; but he had not met one single person who had approved of the means by which that cause was sought to be advanced. In his belief it was undertaken with no more definite object than to give, as circumstances might admit, an additional *prestige* to the French army. But what then would inevitably follow? A proportional decrease in the legitimate influence which liberal England really would and ought to have, not only over the future destinies of Italy, but over the progress of real Liberalism in all parts of the world. He saw in the blue-book which had been referred to, that Her Majesty's Ambassador at Paris stated, in a despatch at the end of February, that "he did not believe in war, because there were no preparations for war." Now that France was not quite ready when she was called to march into Italy—that the Emperor Napoleon, like a lady in an interesting situation, might be somewhat out in his reckoning, might be true enough; it was certainly matter of wonder to him that any man, living in Paris, even with the most amiable and energetic determination of believing anything that was told him, could possibly believe that. He believed that the determination of France was taken long before the month of February. Yet still, when he heard of Italy proclaiming the Emperor Napoleon as its liberator and regenerator, he very much doubted whether, at the bottom of his capacious mind, the Emperor ever intended or expected the real liberation of Italy, because the real liberation of Italy, political, social, and intellectual, begins at home. In the blue-book he saw that when, in 1857, certain reforms were about to be introduced through the united influence of England and Austria, Lord Cowley states, "those reforms were allowed to fall to the ground;" and that afterwards representations made on the subject met with the most discouraging reception at the Court of France. At the same time he thought it would be a great misfortune, not only for the character of England but for the future welfare if Italy, if, when England desired a change or amelioration in the Papal States, it could possibly by any manner of means be suspected that she was actuated by any motive of sectarian policy. That the Emperor intended to do something in the Austrian States he had not the slightest doubt, but that was another matter. Supposing all these small States in Italy were drawn up in a cluster to the moon, what was to become of Imperial Rome—that part of the earth to which the hearts of many, and the imaginations of all, clung from their childhood? Did the inhabitants of Southern Italy, whose intelligence was as bright as their own skies, count for nothing? Was, also, no regard to be shown to Naples? He believed that great pains had been taken to ascertain whether there was an available feeling in Southern Italy in favour of the Murats, and that it was found so fickle and transient, that as the French said, "*le jeu ne vaut pas la chandelle,*" and the project was abandoned—that was to say, to open that country to French influence in the same way in which it was exercised in Northern Italy. With regard to the Papal States, there was a body in France to whom the Emperor was under the very greatest obligations, and not only for their co-operation, for he regretted to say that he owed to them a very great part of the six or seven millions of votes which came out of the electoral urn in his favour. Of the influence of this body he was by no means independent, and they were a body who would do all they could to cramp and reduce any efficacious reform in the Roman States which might be obtained through French influence. He did not say there were not underhand intrigues, dark machinations, and anonymous incitements to revolt at work among the subjects of the Roman States. On the contrary, he felt perfectly sure there were, and that they were going on at that moment; but what he said was, that there would be none of those measures of Reform which were called chivalrous measures in that part of Italy. And what would be the result of the liberation of a certain part of Northern Italy? It would only serve to plunge the magnificent regions of Southern Italy into, if not deeper darkness, at least into deeper disappointment and despair. Dangerous and even ridiculous as it was to attempt to prophesy in these times, he thought he knew very well what would happen to England as the result of the iniquitous war now raging in Italy. At some period—and probably at an early period—England would step in with the view of stopping hostilities and preventing a greater effusion of blood; she would honestly and ardently offer her mediation; and then by the unfortunate fiat of fate which seemed always to belong to her, by that *curiosa infelicitas* which attached to all she did, would make herself only more odious than she now was to all the parties. If she failed, she compromised her name and her position as a great Power; if she succeeded, there would arise a cry from one end of the Peninsula to the other that but for perfidious Albion, who was only alive to her own interests and the dispersion of cotton—Italy would have been free—that she had arrested the splendid schemes of the Emperor, paralysed his magnificent intentions—the development of nationalities—and what not; all the fine things elaborated in that region which was so propitious to human liberty—the Tuileries at Paris—all the vituperation of the Liberals in Italy, of the Reds in France, and of the Radicals in England, would fall on England, and the credit of all those magnificent plans for the establishment of nationalities, which were never intended to be carried out, would be given to France. But in the name of God, he said, let us have peace if it could be attained, no matter how. As to what was disagreeable or disadvantageous, or little flattering to this country, whilst England was in alliance with France she must make up her mind to that. Under the pretence of negotiation there would be a permanent occupation of Lombardy by the French, and the questions at issue would remain permanently unsettled—a circumstance which he would look upon as one of the greatest misfortunes to the whole world. What he feared was now on the cards was the prolonged occupation of Lombardy and Piedmont by the French. He believed in his conscience that at the time when the Emperor marched with his great army into Italy nothing was wanted for the ulterior liberation of that country but the honest and quiet retirement, then and for ever, of the French and Austrian troops from the places where they were and ought never to have been, and at the same time the removal of the influence exercised by Austria over the States where she had so long exercised a fatal supremacy. It was remarkable that we did not even yet know why so good a proposal—a proposal which would have liberated the whole and not a part of Italy, and liberated it, moreover, without the smallest risk of retrocession—was not carried out. What was really wanted in Italy could not be obtained by a summary process, but must be a work of time. An honest, conscientious Government in Sardinia, mindful of their own affairs, and not coveting what did not belong to them, would have held out in the most impressive manner a model which present Italy might imitate and future Italy succeed in adopting. An honest and conscientious Government in France—in that country which, from its rare position, must, according to its Government, always be either the curse or regenerator of Europe—a constitutional Government in France aiding without protecting or exciting Sardinia, would have infiltrated the principles of constitutional Government into the hearts of Kings, and would have attached itself to the sister institutions of this free country, and thus formed an alliance which from the force of things—by a law superior to the temporary convenience of any man—could not, thank God, permanently exist between liberty and despotism. Thus England and France might have given freedom to the world. This quiet but infallible action would have encouraged struggling races and raised drooping nationalities. It would have done so righteously and peacefully. It was a process which would have pleased all the wise reformers of abuses in all parts of the earth; but it was a process which did not, and could not, be accomplished through the wild ambition and rash desires of those who were equally above the real interests and wholesome opinions of mankind.

House adjourned at half-past Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 30, 1859.

MINUTES.] NEW WRITS ISSUED.—For Northampton Borough, *v.* Right hon. Robert Vernon Smith, now Baron Lyveden; for Wicklow, *v.* Right hon. Lord Proby, Comptroller of the Household; for Lichfield, *v.* Lord Alfred Paget, Chief Equerry and Clerk Marshal; for Gloucester County (Western Division), *v.* Lieutenant Colonel Robert Nigel Fitzhardinge Kingscote, Groom in Waiting; New Writ for Marylebone, *v.* The Right hon. Sir Benjamin Hall, baronet, now Baron Llanover.

NEW MEMBERS SWORN.—For Tiverton, Right hon. Viscount Palmerston; for London, Right hon. Lord John Russell; for New Radnor, Right hon. Sir George Cornewall Lewis, baronet; for Halifax, Right hon. Sir Charles Wood, baronet; for Morpeth, Right hon. Sir George Grey, baronet; for Oxford City, Right hon. Edward Cardwell; for Lewes, Right hon. Henry FitzRoy; for Calne, Right hon. Robert Lowe; for Devonport, Right hon. James Wilson; for Newcastle upon Tyne, Right hon. Thomas Emerson Headlam; for Wolverhampton, Sir Richard Bethell; for Reading, Sir Henry Singer Keating; for Wigtown District of Burghs, Sir William Dunbar, baronet; for Bedford Borough, Samuel Whitbread, esquire; for Sandwich, Edward Hugessen Knatchbull-Hugessen, esquire.

PUBLIC BILLS,—Law of Property and Trustees Relief Amendment; Criminal Procedure; Public Justice Offences; Malicious Injuries; Coinage Offences; Personation; Forgery; Offences against the Person; Larceny, &c.; Criminal Writings; Punishment; Oaths, &c.; Sale of Grain, &c.

THE ITALIAN QUESTION AND THE POLICY OF THE LATE GOVERNMENT.

NOTICE.

LORD ELCHO: Sir, I wish to give notice that next Tuesday week I shall move the following Resolution:—

> "That, in the opinion of this House, the correspondence respecting the affairs of Italy, which has been lately laid before Parliament, shows that the late Government have perseveringly directed their efforts towards the maintenance of peace and an amicable settlement of the differences between the contending powers, and that while they have preserved the strictest impartiality and conducted those complicated negotiations with patience and impartiality, they have at the same time upheld the honour and dignity of this country; and that it is further the opinion of this House that the policy of strict neutrality and mediation between the contending powers which has been pursued by the late Government, should be adhered to by Her Majesty's present advisers."

THE LAW OF LANDLORD AND TENANT IN IRELAND.—QUESTION.

MR. BRADY said, he wished to ask the noble Viscount the First Lord of the Treasury Whether he intends to introduce any measure this Session for the alteration of the laws in reference to landlords and tenants in Ireland.

VISCOUNT PALMERSTON: That question is one which, I know, excites great interest in Ireland, and it is a question that has often been under the consideration of this House. No measure, however, upon the subject has hitherto succeeded in passing into law. The matter shall receive the most earnest and attentive consideration, in the first place of the law advisers of the Crown in Ireland, and then of Her Majesty's Government; but I am unable at the present moment to give any more definite answer to the question of the hon. Gentleman.

THE MINISTERIAL STATEMENT.

MOTION.

VISCOUNT PALMERSTON: Sir, I rise to move that these copies of the correspondence with the Commissioners at the head quarters of the Austrian, French, and Sardinian armies, which I have brought up by command of Her Majesty, should lie upon the table. I would avail myself of this opportunity to make a very short statement to the House, not so much as to those circumstances in regard to which the public are already perfectly well informed, as with respect to the course of business which we shall propose to the House. It is well known to everybody that upon the failure of the efforts of my noble Friend, Earl Granville, to form a Government, I was honoured with the commands of Her Majesty to undertake the duty of constructing an Administration. The first step which I took under those circumstances was to address myself to my noble Friend the Member for the City of London (Lord John Russell) between whom and myself an agreement already existed that, whichever of the two might happen to receive the commands of the Sovereign to form an Administration in the place of that which had given in its resignation, we would co-operate for the purpose of forming an efficient and strong Government. My noble Friend, with the utmost promptitude and generosity, immediately consented to give his co-operation for that purpose, and undertook that which at all times is one of the most important departments of State, but which under present circumstances is, beyond all others, of national importance —I mean the direction of our foreign relations. My noble Friend and myself were able to surround ourselves with colleagues eminent for their public station and remarkable for their ability and knowledge of the administration of affairs, and I trust that we have succeeded in presenting to this House, to Parliament, and to the country an Administration which, by the distinguished elements of which it is composed, will command, obtain, and secure the confidence of this House and of the country. I need not say, Sir, that in some respects the duty which I had to perform was painful to my feelings, because I was unable to ask and obtain the assistance of many of those personal and political friends with whom it had been my pleasure and pride upon a former occasion to co-operate in the public service—men whose talents, zeal, and ability in the discharge of the duties which were imposed upon them entitled them not only to my esteem and confidence, but also to the approbation of their fellow countrymen. The Administration having been formed, it now becomes our duty to consider what course of proceeding it will be our duty in the present state of the year, and in the present state of the business before Parliament, to propose to this House. There are two great questions which preeminently occupy the attention of this House and the public ; one, the state of our foreign relations as connected with those important events which are now passing in the south of Europe; the other, that question of the amendment of the laws regarding the representation of the people in Parliament, which has so recently and so anxiously engaged the attention of Parliament and of the country. The course which we intend to pursue with regard to that first great question is the course which has been chalked out for us by those who preceded us, and which has been recommended, or is intended to be recommended, by the Resolution of which notice has been given by my noble Friend (Lord Elcho)—that is, a strict neutrality in the contest which is now waging. I trust that nothing can occur which should involve this country in hostilities, which, as far as human foresight can go, seems to turn upon matters which, though interesting the sympathies one way or the other of the people of this country, are yet so remote from their direct interests that it would, I think, be unpardonable in any Government to endeavour to involve this country in the contest. It will be our duty, as no doubt it would have been felt to be the duty of the late Government to avail ourselves of any favourable opportunity which may occur in the course of these events to tender the good offices of England, either separately or conjointly with other Powers ; for the purpose of restoring to Europe the blessings of peace ; but I am sure that this House will feel that steps of that kind ought not to be lightly taken, that a great country like this ought not to tender advice or interpose its offices until it sees that the march of events renders it likely that those good offices or that advice will be acceptable to those to whom they are tendered, and that lightly and without sufficient consideration to commit the country to steps of that sort would be derogatory to the dignity of the country and useless with regard to any good which might be anticipated from the adoption of such a course. With regard to the other great question—the amendment of the laws regulating the representation of the people in Parliament—I think it is almost needless for me to say that, considering the season of the year, considering how short a time must elapse before the return of August, and possibly of September, will so thin the attendance in this House that no question of great importance ought to be submitted to its deliberations, and considering the amount of inevitable business which we have to go through, I am sure the House will agree that it would be trifling with so great and important a subject as that of Parliamentary Reform if we were to attempt to introduce into this House during the present Session a Bill upon that subject. That it will be our endeavour and determination to avail ourselves of the earliest moment of the next Session of Parliament to prepare and produce a Bill, I can give the assurance of myself and my colleagues. When the next Session will commence must depend very much upon the course of events, and upon the course of business. I wish to withhold any opinion upon that subject at the present moment. Events may occur which may render it necessary that that Session should be held earlier than the accustomed period. There may be considerations which may lead in the other direction, but upon that point I beg the House to understand that we reserve it to ourselves to state at some future period of the present Session what our views and intentions may be. We shall therefore proceed at once with the business which is before us. Some of the Estimates will have to be considered and voted by the House. There will be the budget of my right hon. Friend the Chancellor of the Exchequer to be stated and considered ; there may probably be measures consequent upon that budget, and there my be other measures of minor importance which we may think it our duty to propose ; but that amount of business will probably, I think certainly, occupy all the remaining portion of the summer during which it is possible for us to expect such an attendance of Members

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as will enable us to deliberate upon measures of importance. I will not trespass further on the attention of the House except to say that, considering how late the Session is, and how important it is that the business usually called the business of the Government, though really the business of the country, should be proceeded with as rapidly as possible, it is my intention to propose on a future day that Thursdays, beginning with this day fortnight, shall be Order days, instead of, as usual, being Notice days. That is an arrangement that is usually made towards the latter part of the Session: and I trust that, under the circumstances, those who may have notices on the paper for this day fortnight will offer no opposition to the proposal which I shall make.

Motion *agreed to.*

NATIONAL DEFENCES.

OBSERVATIONS.

Sir CHARLES NAPIER said, he could not consent to give his support to the present Government till he had some distinct understanding that it was their intention to maintain and increase the national defences. The late Government had done a great deal to put the country in a proper state of defence, and he gave them full credit for their exertions in that direction, though they had not gone quite so far as he could have desired. Previous Governments had acted excessively wrong in allowing the navy to fall off in point of efficiency; but he was happy to say that the First Lord of the Admiralty under the late Government had done a great deal to put it in a respectable and effective position. He never could forgive their predecessors for having paid off seven sail of the line in the year 1857, an act from which the navy never recovered; and again for having reduced the workmen in the dockyards. The late Government however when they recovered their senses did what they ought to do and gave us 24 sail of the line. He was sorry to say, however, that not more than 5,000 men had availed themselves of the bounty, few of whom were ablebodied seamen. We ought to be prepared for any emergency. The French were making most extraordinary progress in Italy, and that great man the Emperor—for he would call him a great man—who though not bred a soldier was performing feats worthy of the first Napoleon. There was no saying what all this would lead to. When he went back to France a conqueror, having perhaps placed a king over Italy, were they sure that he would be master of his own actions? He (Sir Charles Napier) would advise hon. Members to look ahead lest in such circumstances we might have to engage France with Russia on our rear. We ought to have 40 or 50 sail of the line in this country to maintain our honour and dignity whatever might happen. It had been said, however, that the Chancellor of the Exchequer was about to cut down our expenditure; but if this was so, and if the present First Lord of the Admiralty repeated the wicked action that was committed by the First Lord in 1857, he hoped the House would interfere and take the matter into its own hands. We wanted an entire change of system. We had, in truth, no system at all, but were constantly changing our plans—at one time incurring great expenditure, and at another carrying economy too far. Good seamen could not be got because they found that, when unemployed, they were turned adrift without reference either to their interests or the interests of the country. It was well known that when the noble Lord (Viscount Palmerston) was the guest of the Emperor Napoleon at Compiègne the Emperor did not conceal that it was his intention to have 50 screw sail of the line, and that he had the means of transporting 40,000 or 50,000 men at once. He had shown in Italy what he was able to do in this respect, for he suceeded, by way of Marseilles, in bringing a large army into the field before the Austrians were ready to meet him. He hoped hon. Gentlemen on the Opposition benches would insist on receiving some assurance from Government as to their intentions with regard to the navy. The right hon. Baronet (Sir John Pakington) acted as a bold First Lord of the Admiralty, for when Parliament was not sitting he issued the Proclamation offering the £10 bounty. There were people who said there was no necessity for a bounty, because the Baltic fleet was manned without it. Nobody knew better than himself how the Baltic fleet was manned, and he maintained that it afforded no argument against the offer of the bounty. He begged to state that if he did not see some energetic step taken to render the naval service more efficient he would himself bring the subject before the House.

Mr. SPEAKER said, there was no Motion before the House, and as the hon. and gallant Admiral had not concluded with any Motion his observations were irregular.

CRIMINAL PROCEDURE—LEAVE.

MR. WHITESIDE said, he rose to move for leave to introduce the first series of Bills to consolidate and amend the Criminal Statute Law of England and Ireland. For a considerable time a body of learned and eminent persons, called the Statute Law Commissioners, had carried on their labours with a view to discover the best means of securing the object which he then sought to accomplish. But shortly after they had commenced their inquiries they had found that they had two difficult questions to decide. The first was, whether their Bills should be a mere consolidation of the statutes or an amendment of the law. The next important question they had to consider was, whether or not they should include Ireland in their labours. It had been very well pointed out by Mr. Bellenden Ker that if they proceeded upon the principle of consolidating the English law only, they would create a greater difference than that which already existed between the law here and the law in Ireland, inasmuch as many of the statutes which had been passed since the Union applied to both countries. They also consulted Mr. Napier, the late Chancellor for Ireland, who had given it distinctly as his opinion, that there should be one set of statutes for both countries. In a communication addressed to the Secretary of the Statute Law Commission he said:—

> "I think the Irish Statutes ought to be overhauled, with the view of consolidating them as much as possible with the corresponding English Acts. We have about 2,263 Irish Acts before the Union; then, under Poyning's Act (10th Henry VII., c. 22), we have to import English Acts: and by the 8th Edward IV., c. 1, and 21st and 22nd Geo. III., c. 48, English Acts are extended to Ireland. Since the Union there have been passed about 1,300 statutes exclusively relating to Ireland; so that, in addition to the early and the post-Union Laws, which extend to both countries there are upwards of 3,560 statutes peculiar to Ireland. I believe it to be practicable to have one set of statutes for both countries, which would regulate most matters proper for legislation, though there are important exceptional subjects which, on principles of sound policy, ought still to be dealt with by special and separate legislation; but I own that I have the strongest desire to bring Ireland, as much as possible, under the same laws—administered in the same spirit as in England; without this the Union is an Imperial evil, and Ireland but a province. The very able work of Mr. Gabbet shows how the work of consolidation might be accomplished by diligence and labour; and I think that in blending the parallel statutes advantage should be taken of the comparison of the enactments and the judicial comments in both countries, so as to produce an improved imperial edition for future use. I might easily refer to recent instances, in which the system of separate legislation has signally failed, and I cannot too strongly urge its condemnation. The occasional jobs and frequent blunders to be found in the Acts for Ireland are the spawn of this vicious system. I have found it impracticable, even with a diligent attendance in the House of Commons, to detect and defeat these flaws in measures for Ireland, which could not escape if proposed in an Imperial Bill. As to the past, therefore, I would earnestly recommend a revision, with a view to such consolidation as I have suggested; and as to the future, that some arrangement be proposed by which the legislation for Ireland may be subjected to the same careful supervision as that for England, with which it should be as much as possible identified. There are some subjects which might very usefully engage our early attention—for instance, the Stamp Laws, the Law of Judgments, &c. I think it is a very prudent course to take up such groups of statutes as overlay the law on these every-day matters, and construct a new and complete code, repealing at the same time all the old statutes."

His right hon. Friend the Member for the University of Cambridge visited Ireland last October, in order to arrange what measures it might be necessary to introduce in regard to that country, and he called on the Irish Executive to state their views on the subject. The question was brought before the late Cabinet, and the consequence of their decision was the preparation of the present Bill. He would shortly state what had been done. The first question that presented itself was what was to be done in regard to the punishment of death. When Blackstone wrote there were on the Statute-book no less than 167 capital felonies, and although happily executions were not now frequent it was within the memory of living men how great was the number of executions which formerly took place after a sessions in London. In process of time, when the opinions of men on the necessity of capital punishment became more modified, juries averse to the punishment of death committed what might be termed judicial perjury, and acquitted the prisoners; so that they had the spectacle of one kind of law embodied in the Statute-book and another kind administered in the country. This led to the reduction of capital offences to the number of twelve, and the question now was in which of these cases Parliament could permit the abolition of the punishment of death. At the present time in Ireland, he found specified on the books—arson of the dwelling, arson of the shop with intent to murder, exhibiting false lights for the purpose of causing shipwreck, gaol-breaking, murder, stabbing, poisoning, robbing and wounding, &c. When the subject was considered by the late Cabinet it was thought that it would be a very proper thing to propose to Parliament to abolish the punishment of death in all cases except those of high treason and murder. Opportunities had arisen for the carrying out of effective secondary punishment which did not formerly exist. He had always thought that after the late Criminal Law Commissioners had recommended the abolition of capital punishment for rape, it would be extremely difficult to retain it for any offence against the person short of actual murder. The Bill also professed to deal with a crime of which they had heard a great deal lately—namely, conspiracy to murder. That offence was capital in Ireland and not capital in England. He had been asked whether he would not assimilate the laws of the two countries. Considering that Ireland had been handed over to the present Government in a condition that it had never been in before—in a state of great prosperity and profound tranquillity—he was of opinion that in this particular instance, as in several others, exceptional laws might be abolished. He thought that it was but just, as was observed by the noble Lord the Secretary for Foreign Affairs (Lord John Russell) during the course of a late debate, that the punishment of death should be inflicted for conspiracy to murder where death ensued; but, on the other hand, where the crime of murder was not actually consummated it should be withheld, and a secondary punishment substituted. It was generally felt that when death did not result the criminal might be allowed to get the benefit of not having carried his crime into execution. Wherever the conspiracy to murder was proved it would be in the power of the Judge to pass a severe penalty, but he might, if he thought fit, reduce the punishment to an imprisonment for four years. There was the case of a conspiracy to murder Her Majesty's Ministers at a dinner at Lord Harrowby's. No doubt, such a conspiracy might be a very gross offence, but the Crown was more likely to gain a conviction when the punishment was reasonable and moderate. The crime of forgery was consolidated by the English statute law in the time of William IV. In Ireland the laws relating to forgery had never been consolidated, and there were now forty-five Acts of Parliament relating to that crime. But, as the offence and the punishment ought to be the same in England, Ireland, and Scotland, there was no real difficulty in amending the Acts, in applying the same law to both countries, and in clearing the Statute-book of forty or fifty Acts of Parliament. It would not, then, be necessary to have so much separate legislation, while the crime itself would become rarer in Ireland from the knowledge that punishment would certainly follow conviction. He thought that it would be highly creditable to the Government if they could pass such a consolidation law that there should not be a clause upon the Statute-book of Ireland which did not extend to England in the matter of criminal law. There was one of the Bills to which he wished particularly to call the attention of the law officers of the Crown, and which, in his opinion, was an admirable Bill—namely, the Procedure Bill. By this Bill all the procedure laws commencing with those relating to the issuing of Commissions to Judges from the time of King Edward I. to Queen Victoria, had been overhauled and systematized, and the present would be a complete Procedure Bill for both countries. It would be found to be a very readable Bill, but there were only two clauses that now deserved the attention of the House. These were Clauses 6 and 7 declaring what was to be done in cases formerly punished by forfeiture of goods and chattels and confiscation of land. It was said that confiscation of land was the corner-stone of the classification of crimes by the law of England. When Sir Matthew Hale wrote, almost every crime was a felony. But Mr. Amos had published an interesting work entitled the *Ruins of Time*, to prove the ruins time had made in the compositions of Sir Matthew Hale. While he admitted that the late Cabinet did not decide in favour of the abolition of the forfeiture of lands, and that confiscation should be abolished, he in his individual character felt at liberty to urge the abolition of this penalty. Take the case of Sir W. Raleigh. The King first chopped off his head and then took his estate for his favourite. When Lady Raleigh asked for the restoration of Sherborne Castle, the erudite Scotchman then seated on the throne of England replied, "I mun hae it for Carr," which being translated meant, "I must have it for Kerr." The law ought to be satisfied with the life of the victim, without punishing his innocent family. He was present at the trial of Mr. Smith O'Brien for treason. The Crown might have taken his life, but on what principle of justice could the law have taken his estate from his eldest son—a man of the highest talent and every virtue? He admitted it might be rejoined that confiscation was still the law of this country, but he had lately been reading the arguments urged by Sir Samuel Romilly on this point, and they reminded him of the conversation between the Emperor Joseph and the Chancellor of the Austrian empire. The Emperor was reported to have asked his Chancellor whether he had read the essay of Beccaria. "I have, Sire," was the reply. "Can you answer it?" "No, Sire." "Then act upon it," said the Emperor. He would refer the House to what has been written by Mr. Amos in reference to the argument of Romilly on confiscation:—

> "On the general principle of confiscation, it may be observed that it is open to the gravest objections. Sir Matthew Hale, indeed, does not offer any opinion concerning its impolicy or inhumanity; and Blackstone labours to prove what he terms the 'natural justice' of confiscation for treason. The first pattern for confiscation is supposed to have been given to the world by Sylla, the Dictator. Among the principal objections to confiscation may be reckoned that the penalty is, in many cases, excessive, and disproportioned to the nature and extent of offences; that it is unequal in its application to different offenders, being graduated not according to the gravity of an offence, but the magnitude and description of the offender's estate; that it usually involves the misery and utter ruin of the innocent families of offenders. Livingstone, Dumont, and Bentham, have written cogently against forfeitures, but nowhere, perhaps, are they more eloquently reprobated than in the following extract from a speech of Sir S. Romilly. He says:—'All confiscations forming part of a sentence by which death is inflicted, are founded, in my opinion, upon the greatest injustice. To confiscate the property of the criminal whose life is left untouched, is to take from him the means by which the enjoyments and comforts of life are supplied; but if the law deprives him of life also, the forfeiture can only affect those whom he leaves behind. Upon them alone the punishment falls; and, if the offender be at all affected by it, it is only as he may feel, and be afflicted for them. Almost all punishments, indeed, extend beyond the criminal against whom they are directed. The greatest criminals have often deserving relations and connections, who sympathize in their sufferings, and who, though perfectly innocent, thus endure a part of the punishment. But this arises from the necessary imperfections in all human institutions. In the law, however, of forfeiture, this, which is an unavoidable evil, but which all wise legislatures would, if it were possible, avoid, is the very principle upon which the law proceeds. The direct punishment is inflicted on the innocent, and it is by sympathy alone that the guilty is affected, if he be at all affected by it. To the most obdurate and hardened it is no punishment at all; to the less criminal—to those only whose minds are not callous to all sense of virtue and of humanity, if to any, it can operate as a punishment. You choose for the instrument of your moral torture the best feelings of the human heart, and aggravate and enhance your punishment in proportion as the subject of it is less an object of detestation.'"

Those were arguments which it was impossible to answer, and, therefore in the present Bill he proposed to abolish the penalty of confiscation of land for crimes to which it now applied. What was the case in respect of felony? There was an instance of a man at Salisbury being convicted of felony for stealing one penny, and all his goods were forfeited. The bishop, under his grant of the goods and chattels of felons, however, claimed the chattels, and, being a just man, he divided the property among the most deserving relatives. Thus, too, the Sovereign never actually took the produce of a felon's property, but left it to the law officers to decide to whom it should be given. As long as almost all felonies were capital he could understand the value of a distinction between felonies and misdemeanors; but now, when many misdemeanors were more heinous than some felonies, the case was different. It might be urged, however, that these were suggestions for the improvement of the law, which ought to have emanated from the Statute Law Commission; but with all due respect to that Commission they had very little power, and felt themselves under a difficulty in making such suggestions and changes. It had been proposed to consolidate the whole Statute Law of England, but he contended that the late Government took the wiser course in confining the consolidation to the criminal law, in the first instance, because any system which consolidated the criminal law of the two kingdoms must necessarily ameliorate the criminal law of Ireland, while it could not but prove beneficial to the criminal law of England. That was the whole scope and character of the measure, and he had to return his thanks to the law officers of the Crown in this country, especially to the late Attorney General, for the support and assistance he had rendered, and also to the right hon. Gentleman the Member for Cambridge University (Mr. Walpole) for the manner in which he applied himself to this measure and the earnest desire he had evinced to secure what benefit he could for Ireland. He had not the slightest doubt that the present law officers of the Crown would consider the subject carefully, for although other countries were at war, and it might behove us to take precautionary measures, yet ample opportunity would be afforded by the continuance of the neutrality to look into questions of great domestic importance. Whatever concerned the liberties and lives of the people of the United Kingdom must always be of paramount importance in that House, and he therefore trusted that the Bills in question would meet with a careful investigation and considerate support.

THE ATTORNEY GENERAL said, it was undoubtedly not his intention to offer anything like opposition to the Motion of the right hon. and learned Gentleman, but rather to tender to him individually his thanks for the labour which he had bestowed on this subject; and for his own part, he should welcome and receive with the attention due to the quarter from whence the Bills came the measures which were proposed to be laid on the table of the House. It was requisite, however, that the attention of the House should be called to another matter connected with this subject on which it was high time that some determination should be come to. The House was asked on the present occasion to receive and consider statutes newly constructed for the purpose of consolidating the whole of the criminal law of England and Ireland. That was a simple proposition that they should at one blow abrogate the whole of the existing laws, and receive a new enactment in place of that which they now had. Now, he wanted to know, and he wanted the House to consider, what means there were of assuring themselves that no alteration would take place, and that the new enactment and the new combination would amount, with the exception of the particulars specified, to nothing more than a re-enactment of the antecedent law? He was perfectly confident that the House never would be led to take such a leap in the dark. How, he would ask, could they arrive at the conclusion that these very universal and comprehensive measures might not in reality effect a radical alteration of the existing law? In one particular, that in which express alteration was intended to be made, he entirely concurred in the sentiments of the right hon. and learned Gentleman. He had long felt, as a law officer of the Crown, that great mischief and inconvenience resulted from the forfeiture of goods and chattels, and also from the forfeiture of lands; he entirely concurred in the suggestion of humanity, and, he would add, of justice, that had been brought forward for the purpose of inducing the House to consent to a change of the criminal law in that respect; but he felt that it was a very serious thing to propose that the House should accept a consolidation of the statutes, the House being utterly unable to undertake the office of examining whether or not the statute simply embodied the existing law, and therefore being exposed to the peril of altering the law by accepting an enactment which it took on trust and credit from some other quarter. These were the reasons which long ago had led him—he was now speaking as an individual—to suggest to the House the absolute necessity for the establishment of a department of justice, composed of individuals whose bounden duty it would be to examine this subject, who would be responsible for it, who would undertake it, not in the manner in which it was now undertaken by the Statute Law Commission, but as their exclusive business and duty, and upon the credit and faith of whose well-known ability and responsibility it would be that measures of consolidation would be brought before the House. The House was perfectly well aware that statutes, even if they were gathered together in the very words, so far as they could be preserved, of the existing enactments, yet when strung together in a different form, under a different arrangement, and with a different preamble, might receive a construction altogether different from that which was now put on the existing law. The Statute Law Commission had been in existence for several years, and with the exception of some Bills which had been brought in by the late Attorney General, on the day before the late dissolution it had never placed on the table of the House a single Bill for the purpose of consolidating the law. He apprehended, therefore, that it would be one of the most important duties of the present Government to consider what should be done with the Statute Law Commission. Now, supposing that something could be done on that subject, it would be desirable that this great and important measure of consolidating, or, as he should prefer to say, of digesting, the statutes should be committed to persons who would be responsible to that House. No doubt they were greatly indebted to those hon. and learned Gentlemen who laid on the table of the House the result of their individual labours. But observe how the matter stood. The late Attorney General, as he stated, laid on the table, the day before the late dissolution, seven Bills which, as he understood, with the exception of a particular matter to which the right hon. Gentleman had referred, were for the very purpose for which the present Bills were brought. Well, those now brought in by the right hon. and learned Gentleman differed, he believed, from those. [Mr. WHITESIDE made some remark.] The present were alterations of those Bills. Very well; but the Bills which were brought in by the late Attorney General had been brought in on the faith and credit of the Statute Law Commission, and they were now superseded by an amended edition. This only showed the great uncertainty and the very unsatisfactory manner in which this task had been performed, or rather in which this great duty of improving the body of the Statute Law, and bringing it into a simple and easily consulted form, had not been performed. It was, therefore, undoubtedly necessary that something should be done on this subject; but he must undoubtedly enter his protest against simple consolidation Bills being brought into the House on the mere authority—however great that might be—of individual Members of the House, in the expectation that the House would enter on the onerous and laborious duty of examining those Bills with the whole body of the Statute law; or, still less, that the House would be prepared to accept a consolidation Bill and, without examination, to abrogate the existing statutes, and accept any combination in their stead. No duty could be greater—no duty was more imperatively called for—and no work could be more important, than that of adjusting, arranging, and simplifying the statutes; but it must be performed by a body devoted to that purpose, and to that end exclusively. And attempts to perform that duty in this piecemeal fashion in a manner which it was impossible to suppose could ever ripen into any effectual improvement, however meritorious these attempts undoubtedly were, they were in point of fact mere delusions and a mere putting off of the consideration of a duty that must be performed in a different manner. Although, therefore, he gave to his right hon. Friend the greatest possible credit and praise for his labours in this matter, he hoped he would agree with him that the work must be performed in a different, more comprehensive, and more satisfactory way, and that he would not be surprised if Her Majesty's Government did not immediately press the consideration of these particular measures until the whole subject could be more thoroughly examined and investigated, and put, he trusted, on a more satisfactory footing than it at present occupied. The House was aware that he had never been a party to the mode in which the proceedings had up to the present been conducted, the suggestion made by the present Lord Chief Justice of the Queen's Bench himself not having been accepted by the Statute Law Commission. But he should press on the attention of the Government the necessity of now proceeding in a manner likely to lead to greater results than had been attained; and whatever might be the body by whom those measures would be brought forward, he could assure the right hon. Gentleman that those which he had now laid on the table would receive the most attentive consideration. He entirely agreed with the right hon. Gentleman in the desirableness of making one law both for England and for Ireland, a branch of the subject to which, from the limited character of their duty, the present Statute Law Commission had been unable to attend.

MR. MALINS said, he was glad to have heard the hon. and learned Gentleman the Attorney General distinctly point out that the consolidation of the statutes could not be carried into effect unless the House was prepared to abrogate its functions, and take the proposed enactment on trust, and he agreed with him that it was improper this should be done, and very unlikely that it would ever be done. But he had been surprised at finding that this was only preparatory to his hon. Friend's mounting a favourite hobby of his own, and declare that although the House was not to take these measures upon trust, yet that a body was to be constituted which would dictate to the House what measures they ought to pass. His argument was in effect that though the right hon. and learned Gentleman the Member for the University of Dublin was not to be trusted, and he presumed though the hon. and learned Gentleman himself was not to be trusted, and though the House itself was not to be trusted, yet that when three or four Members of the House were got together and called a Department of Justice they were to put tables of Bills before the House, on what his right hon. Friend called "their responsibility," which were forthwith to be passed into law.

THE ATTORNEY GENERAL begged to explain. His hon. and learned Friend seemed to have forgotten that the House had passed a Resolution declaring that it would be expedient to have a Department of Justice for this express purpose.

MR. MALINS said, he was fully aware that such a Resolution had been passed, but it was in a very thin House, and at the time he had felt it his duty to protest against what he deemed a mere theory, and to declare that such a proposition could never be carried into effect. The Resolution was now three years old, and the experience of that interval had shown his observations to be well founded. Nothing had been done since that time; it was a barren resolution. He would almost venture to turn prophet and predict that nothing would ever come of it. Because was it to be supposed that if the Lord High Chancellor of England, the Attorney General and Solicitor General, the responsible officers of the Crown, whose duty it was to prepare and submit measures to the House, were not to be trusted with the discharge of this duty, they would be any the more fit to do so if they were called by another name; and even, as hon. Member below him had suggested, were paid additionally for doing so? He would venture to repeat what he had before said on this subject, that the Lord Chancellor of England, with the assistance of the law officers, formed the proper tribunal to which they should look for the administration of justice and for producing such measures of law reform as were to be submitted by the Government of the day. In consequence of the establishment of the Lords Justices, the duties of the Lord Chancellor had been materially lightened. It was only necessary that he should sit with them for appeal business when any special question arose, and he was sure his hon. and learned Friend agreed with him that it had a mischievous tendency to have two courts of appeal sitting in the Court of Chancery. The present arrangement would enable the Lord Chancellor, when Parliament was not sitting, to devote considerable attention to measures of legal reform and improvement which were to be introduced into the House. He concurred with his hon. Friend the Member for Surrey in most of the objections which he had from time to time taken to the Statute Law Commission, which he had always declared would never be attended with any practical result. He remembered that on one occasion, about four years ago, the late Attorney General had told him that it was his intention to submit eighteen Bills, which he said would be put on the table, and would speedily pass; so that in about eighteen months they would be enabled to consolidate the Statutes of England. He ventured to tell him that the law would not be consolidated in eighteen years, nor during the life of any of the present generation. The whole proceeded on an erroneous and impracticable principle. The hon. and learned Member for Suffolk (Sir F. Kelly) had proposed to bring in ninety-three Bills, and he (Mr. Malins) had then ventured to ask him a practical question with regard to them—namely, did he expect them to be passed into law without being referred to a Committee; and in that event, how many months, how many years, must it take before those could be passed into law? All these were mere empty theories of consolidation, which looked very well to lay on the table, but which the youngest Member of that House would find no further than the table at the end of his life. To the general objects which his hon. and learned Friend had in view he gave his cordial support. It was discreditable that they should have one set of statutes in England and another in Ireland; but he thought it right to point out some of the difficulties in the proposed course, and to warn the House that these were mere theories and nothing more than theories.

MR. LOCKE KING said, he would beg to remind the right hon. and learned Attorney General that he was in error with regard to the Statute Law Commission, for he was glad to say that since the hon. and learned Gentleman had last held office that Commission had been entirely annihilated, and there was now an opening for the appointment of a practical body of men to set to work to reform the law. He wished to ask the right hon. and learned Gentleman (Mr. Whiteside) whether the Bills now under consideration were not the same Bills which had over and over again been under the consideration of the House, and in point of fact the Bills introduced by the late Attorney General at the end of the last Session. Was it creditable the way in which things had been going on.

The late Law Commission was an offset of the Statute law Commission, and expended £23,000 or £24,000 without any result whatever except the production of these Bills. The previous Commission expended something like £50,000. When the late Commission commenced its operations it was not powerless. Lord Cranworth had a plan proposing to expurgate the Statute-book as the first step towards consolidation. To that proposition Mr. Bellenden Ker objected. The work of expurgation was stopped, and the result was that Parliament had been troubled with this series of Consolidation Bills. Now, in his opinion, the first step to be taken was to expurgate the Statute-book, and then there might be some hope of its consolidation. That also was the plan proposed in this House by the present Lord Chief Justice, when Attorney General.

Mr. BOWYER said, it appeared to him that the argument of the hon. and learned Attorney General proved rather too much. If it proved anything, it proved the utter impossibility of the consolidation of the statute law being effected by Parliament. The hon. and learned Gentleman said Parliament could not take anything upon trust, and that it must assure itself by its own examination that what was proposed to be effected was not a change of the law but merely a consolidation. Now, how was it possible for a numerous assembly like this to enter into such an investigation? Parliament must trust somebody, and if it did not trust a Commission, or a number of learned persons who had undertaken the task of consolidation, it must refer these matters to a Committee of its own, and it would be necessary after all to take upon trust the report of the Committee. He said, therefore, that the argument of the Attorney General showed a defect in their constitution, and that Parliament was not efficient for this most important duty of legislation. The Attorney General proposed the constitution of what he called a Department of Justice, but, as had been observed, the putting a number of persons together and calling them a Department of Justice did not give them an extra power or capacity for doing this business. But what was a Department of Justice? That which the Attorney General described was not a Department of Justice, but of Legislation, whose duty it would be to draw up Bills for the consolidation of the law, and afterwards to submit those Bills to Parliament. But was not that the very thing that was being done by the Statute Law Commission? He could not understand why the Statute Law Commission had failed to perform the duties for which it was constituted. There had been two remarkable instances in history of the consolidation of Laws, and in both the work had been done by a Commission. The first of these was the consolidation of the Roman law under Justinian, and the second was the consolidation of the French law under the first Napoleon. Now the consolidation of the Roman law was conducted by Commissioners constituted precisely as the Statute Law Commissioners were, though they might have been more eminent persons, and better remunerated. Then again, when the French law was consolidated Commissioners were appointed who drew up the *Code Napoleon,* which was afterwards discussed in Council, in the presence of the Emperor, precisely in the same manner as such a scheme might be discussed in that House. With these two instances before them, he would ask why should not a Commission be constituted with sufficient powers to investigate the whole subject of the statute law, to consolidate the law into what might be called a code, arranged under different heads, and then it would be the duty of the Government to submit that code to the sanction of Parliament? When it came before Parliament, then the real difficulty commenced; but he contended that consolidation was utterly impossible, unless the House to a great extent took the law thus consolidated upon trust: otherwise the code would run great risk in passing through Committee. There would be a constant danger that some Member—perhaps a thin House when Members were gone to dinner—might introduce an ignorant or injudicious Amendment which would spoil or materially injure the Code. The House was much indebted to the late Attorney General for Ireland for having grappled with this subject and for having introduced the Bills under consideration. He would repeat, however, that the House must make up its mind to take this work upon trust, for if they did not, they would only squander large sums of money in printing and in salaries, without obtaining any satisfactory result. He would remind them, however, that the French Commission had greater difficulties to contend with, and yet they accomplished their task in three years.

MR. COLLIER said, he could not but remark the little fruit which the Statute Law Commission had borne. It promised a great deal, but had not effected consolidation in a single instance. They had been long trying "how not to do it." Let them now take a turn and try how to do it. The reason why the Statute Law Commission had failed was, that though it was composed of eminent men, these men, however qualified, had not been able to devote the whole of their time to the consolidation of the law. The consolidation of the law was a great work, and required the undivided time and energies of the ablest men selected for the task. They had not yet tried the plan of a Department of Public Justice. such as had been proposed by the right hon. and learned Gentleman the late Member for the University of Dublin. He was satisfied that if the work were entrusted to a body of men, selected for their ability and who should be able to devote their whole time to it, it would then be done, and that in a few years they would see the chaotic mass of statutes reduced to something like order. When it had been found practicable to consolidate the Roman and the French laws, how could it be said that our laws defied every attempt at consolidation? He trusted therefore that the Attorney General would remember the pledge he had given on the subject, and that the matter would not be allowed to drop.

SIR FITZROY KELLY said, he felt that he owed it both to that House and to some few individuals without its walls to explain what was really the present state of this great question of the consolidation of the statutes, and to endeavour to remove some misapprehensions which existed both with regard to the nature of the consolidation required and what had been done on the subject by the Statute Law Commission. It would probably cause some surprise that of the forty volumes containing the Statutes of Great Britain, not more than four, or one-tenth, consisted of statutes in force and operation; the remaining thirty-six were filled with Acts of Parliament which had expired, or become obsolete, or were for some reason or other not in force. In addition to this it must be remembered that the statutes upon any given subject were entirely unconnected, and, therefore, to ascertain the law upon it you must either study a text book or hunt through all the statutes from Magna Charta to the present time. The law there lay scattered piecemeal in different language and phraseology, and in such form as defied investigation, except with the utmost labour and a great length of time being devoted to the subject. Under these circumstances it was not remarkable that from the time of Lord Bacon numerous attempts should have been made to reduce our statutes into such a form that what was the law upon any subject might easily be found upon the Statute-book. Hitherto all such attempts had failed. The Statute Law Commission, to which reference had been made, was originally appointed in the year 1853. That Commission expired, and in 1854 a new one was appointed, which, chiefly under the direction of Lord Cranworth, had continued its labours with more or less activity to the present time. The hon. and learned Gentleman opposite (Mr. Collier) had referred to a statement which he had made on this point. He had to correct the hon. and learned Gentleman, not only as to the time at which he had made that statement, but also as to what he had actually said. He (Sir Fitzroy Kelly) had made that statement not four years ago but three years ago, and as to the time within which the task of consolidation might be completed he had said that if the plan adopted by the Commission could be acted on and carried into effect, there was no reason to doubt that all the Statute Law might be consolidated within the space of three years. At the same time, however, he stated that to the accomplishment of that task there would be necessary the cordial co-operation not only of the law officers of the Crown, but also of the Government and the Legislature. A plan was proposed to the Commission which had been to a considerable extent acted upon, and in accordance with which ninety-three Bills were now ready, or nearly ready, which would consolidate the whole of the Criminal Statute Law, the whole of the mercantile Statute Law, and the whole of the real property Statute Law. The first question which arose in the work of consolidation was whether the Houses of Parliament were to accept any portion of the work upon trust. Difficulties had prevented the carrying out of the plan, and had left the question in the state in which it now was. It was clear that in reducing some 40,000 statutes to 300, each comprising the whole of the law upon one subject, a task was implied which would require to be committed to the hands of lawyers not only of eminence, but able to devote their whole time to its accomplishment. It had been truly observed by the hon. and learned Attorney General that a question arose in consolidating the Statute Law, as to how far the House would agree to consolidate it on trust. Either they must consolidate on trust, or every clause of a Consolidating Bill must be discussed in the ordinary way in Committee. As not more than three or four Bills on law Reform could be expected to be passed in one Session, and as it would require 300 or 400 Bills to consolidate the law, it was clear that if that number were to be passed in the ordinary way, the life of the youngest Member would not be long enough to permit him to see the completion of the work. There was another difficulty. Supposing that any of the Bills proposed by his right hon. and learned Friend had undergone the revision of members of the bar, not merely of England and Ireland, but of some of the members of the Statute Law Commission; and supposing the House were disposed to take on trust any such Bills as far as related to the consolidation of the law, another important question arose, and that was—were they, in consolidating the Statute Law, to attempt to amend it. But if all the projects for the amendment of the Statute Law which might be suggested were to undergo consideration, it must be obvious that the task could not be half performed during the whole life-time of the youngest man living. It was evident either that some scheme must be devised for submitting to the House Bills comprising the consolidation of the Statute Law, with such amendments as were likely to be acceded to without any considerable discussion, or the whole undertaking must be at once and for ever abandoned. An hon. and learned Friend of his on the opposite side had suggested that the task should be committed to a Board, or to a Department of Justice, who, devoting their entire time and attention to the subject, would be able to arrive at a complete consolidation of the law, and to this he entirely agreed, and had been about to submit to the House a measure of that character, when the late Government was dissolved. He might observe that no blame could be cast either upon the Statute Law Commissioners, or upon the late Government, or upon the Government which had preceded them, on the ground that no further progress had been made in this matter. The Statute Law Commission had produced reports and drafts of Bills, which it would be found, whenever the proper time for their consideration might arrive, had not only laid the foundation of any scheme of consolidation that was practicable, but had totally and for ever removed all the substantial difficulties in the way of the complete execution of this great undertaking. He hoped the time was not far distant when, under the auspices of his hon. and learned Friend the Attorney General and the present Government, the task would be undertaken, and it would then be found that the Reports of the Statute Law Commissioners, together with the expurgation of the statutes—pointing out all the parts of every statute which were repealed or expiring—a work now nearly completed, had rendered the duty of consolidation comparatively easy. Neither the Statute Law Commissioners, nor the late Government, nor the preceding Government, were open to censure on the ground that more had not already been accomplished, for Bills, eight in number, comprising a consolidation of the whole Criminal Statute Law of England, had been prepared under the administration of the noble Lord opposite (Viscount Palmerston) and notice after notice was placed upon the Votes by the Solicitor General of his intention to submit those measures to the House. When the late Government acceded to office he (Sir Fitzroy Kelly) undertook to bring forward the same Bills with some alterations and amendments, but the pressure of other business—particularly the India Bill—rendered it impossible for him to call the attention of the House to the subject last year. He had endeavoured to bring forward this question this year, but it was intimated in a short debate on the subject, that it would be desirable to assimilate the law of England and Ireland, and that important task was undertaken by his right hon. and learned Friend the late Attorney General for Ireland, with the assistance of the late Lord Chancellor of Ireland, and other learned persons in that country. After much difficulty and labour they had succeeded in combining in one set of Bills, eight or nine in number, in which they had coupled with a complete consolidation of the criminal statute law of the two countries, all the Amendments which were likely to receive the approbation of the House. These measures had now been submitted to the House by his right hon. and learned Friend, not with any idea that he, no longer a Member of the Government, could carry them through the House, but in order that the House might see that the subject had not been overlooked, and that they might be able to understand the scheme of consolidation emanating originally with the Statute Law Commission, and which was now adopted by many of the most eminent and learned lawyers and statesmen in this country and in Ireland. When these Bills had been duly considered by the House and by the Government, he hoped they would hear from some Member of the Administration whether this important undertaking—the consolidation of the Statute Law—was to be entirely and for ever abandoned, or was to be at last attempted upon principles which he hoped would receive the sanction of the House and the approbation of the public. He would only say in conclusion that his humble services were entirely at the command of the Government in any endeavours that might be made for the attainment of an object so much to be desired, and he would further express his entire conviction that if his hon. and learned Friends opposite, supported by the Government, would apply their minds to this great task, they would succeed in accomplishing it to the satisfaction of Parliament and of the country.

THE SOLICITOR GENERAL said, he had heard with surprise the statement which had fallen from his hon. and learned Friend the Member for Wallingford, that it was impossible to consolidate the statute law. He should indeed deeply regret if the House were led to acquiesce in that opinion. He for one could not bring himself to believe that it was impossible to do that in this country which had been done in other countries. He would now put the *Code Napoleon* and the Roman Law out of the question, as the parallel was not complete those works of codification having been effected under the direction of absolute Governments; but he would remind the hon. and learned Gentleman that the task which he pronounced to be impossible had been actually and most successfully accomplished by the Legislature of New York. The question really was as to the best mode of proceeding under the circumstances. This discussion arose upon the introduction by his right hon. Friend opposite of Bills which, as he understood, were intended to assimilate the statute laws of England and of Ireland. He was of opinion that the time had come when the statute law, and especially the criminal law, of the two countries should be as much as possible assimilated. The Statute Law Commission had, he thought, been rather hardly dealt with by his hon. Friend the Member for East Surrey. The Statute Law Commission had gone on this principle,—that the consolidation of the criminal law should in the first instance be proceeded with in Parliament, and that if the effort was successful, then they should proceed with the consolidation of the whole law. In pursuance of this view, Bills were introduced, and passed the House of Lords, and he believed those Bills would have passed through that House also had not a change of Government taken place, which for the time put an end to legislation on the subject. Those Bills, however, only consolidated the Criminal Law of England with a partial consolidation of the Irish and Scotch law. And on the change of Government the matter fell into the hands of hon. Gentlemen opposite, who had expanded it into an attempt to assimilate the whole law of England and Ireland. He believed, however, that great difficulties would lie in the way of an assimilation of the statute law of both countries without previous separate consolidation being carried out. He concurred with his hon. and learned Friend the Attorney General, however, in giving his best wishes to the object which the right hon. Gentleman had in view. He also agreed with him in thinking that consolidation of the whole statute law would never be properly effected till there was a department—either a Minister of Justice, or some other functionary or functionaries —which could devote themselves exclusively to accomplishing the task. The proposal for such a department came from the late Lord Chancellor of Ireland (Mr. Napier), and it was received with favour on both sides of the House. It was therefore hardly fair on the part of his hon. and learned Friend opposite to tell the Attorney General that in recommending such a department he was riding a hobby of his own. If there was a hobby, it was that of the late Chancellor of Ireland, taken up, however, and approved by the whole House, which had at the instance of that learned person voted an address to the Crown for the creation of such a department. He had only to say that, in so far as he was concerned, it would be his care to promote as much as lay in his power the object which his right hon. Friend (Mr. Whiteside) had in view.

MR. M'MAHON said, he must protest against the system of increasing the patronage of the Crown in respect of the administration of justice ; and he regretted to say that it had increased, was increasing, and ought to be diminished. They had been paying the Statute Law Commissioners very large sums, and all that they had in return were certain Bills which were so badly drawn, that he doubted whether any law officer of the Crown who had read them would venture to stand up in their defence. He had read them carefully and was prepared to say they were indefensible. The Bill on libels, for instance, must have been prepared by some young gentleman whose notions of the criminal law were so confused that nobody on either side of the Channel could make head or tail of his work. The money spent on that Commission had been thrown away. He (Mr. M'Mahon) believed that if the law officers had entrusted the task to persons chosen by themselves, and on their own responsibility, the results would be infinitely more satisfactory. He hoped, too, the Reform Bill of the Government would begin by abolishing all previous acts relating to the representation, and would embody in itself the whole law on the subject ; that would be setting a good example in the way of law reform. In this way they would soon have a consolidation of the Statute Law. Reference had been made to the Roman law ; but though it was quite clear that the Institutes themselves were the reverse of bulky, the Commentaries on those Institutes would fill twenty waggons. The same might be said of the French Code and its Commentaries. The English digests were not one whit larger than those of any other country ; and in proof of that he need only refer to the works of Viner or Bacon. As for the Code of New York, the House must remember that that code was not carried without a dissolution of society. ("Oh, oh!") Yes ; both houses of the Legislature were virtually abolished, and the State had to resort to a convention—a step which it was not likely this country would ever be persuaded to take. Nor, indeed, was it necessary ; for it was quite as easy in England to ascertain what was the law upon any point as it was in any other part of the world. As for the proposal to create a Department of Justice, there was surely machinery sufficient in the law officers of the Crown and the five ex-Chancellors. It might be said that the latter would not do the work, but if so, they ought to be made to do it. He trusted the House would at all events scout the proposition of a Minister of Justice; for such an official was only known in France and in some other countries where not law, but caprice, prevailed.

MR. WHITESIDE said, that in reply to the observations which had fallen from the Attorney General and other hon. and learned Gentlemen, wished to state that the number of statutes which these twelve Bills would get rid of was 264. The Bills had been drawn up by four experienced barristers; submitted to Mr. Justice Hayes, whose book on criminal law showed that his knowledge of the subject was second to that of no other learned Judge on the bench; afterwards examined by the Lord Chancellor of Ireland, and finally sanctioned by the Cabinet, by whom the principles they asserted had been most carefully considered. He believed that several of the alterations proposed by those Bills raised questions which it was essential for the Cabinet to consider—as, for instance, whether the punishment of death should be abolished in all cases but treason and the premeditated taking of life, casting aside the distinction between actual and constructive malice, and whether the criminal code of the two countries ought to be assimilated. If Bills such as those came down to Parliament with the approval of the Cabinet, he could not see what there was to prevent the two Houses from dealing with them. The Attorney General said, "Wait till we have a Department of Justice;" but he (Mr. Whiteside) ventured to predict that the Government would find much difficulty in carrying through the House the fiscal details which the establishment of such a department would necessitate. There were able lawyers in both Houses to consider Bills such as these; and in his own opinion the work would never be done except on the authority of a Cabinet. The law officers of the Crown possessed ample ability to direct them in the improvement of this measure, and it would redound to the credit of their administration if they could carry into effect a measure for the amelioration and consolidation of the laws of the two countries. [The ATTORNEY GENERAL: It was his desire to do so.] But the speech which they had heard rather went to show how difficult it was to do it, and how desirable it was to wait for the formation of some new department. He hoped that the country would soon have the advantage of a large, wise, and comprehensive measure.

MR. SLANEY observed that great delays had taken place in the improvements proposed to be made in the criminal laws of the two countries, owing to the late frequent changes of Government. They had received, however, a practical illustration of a great improvement in the laws relating to the landed interest in Ireland, by the establishment of the Court for the Sale of Incumbered Estates. He did not see why, pending the passing of some more extensive measure, a similar institution should not be established in England, not, of course, compulsory, but depending upon the wishes of the applicants. He had no doubt but that the interests of individuals would induce them to adopt the plan of obtaining indefeasible titles to their estates.

MR. WALPOLE said, he did not wish to prolong the discussion, but he must say he thought if hon. Members were really desirous of arriving at a just and sound conclusion, with regard to either the codification or the consolidation of the law, they would not facilitate the attaining that object by bringing into one matter which had been clearly submitted to them dozens of others which were not immediately connected with it. The right hon. and learned Member for Dublin University (Mr. Whiteside) had taken great pains with this subject, and as he (Mr. Walpole) was perfectly acquainted with all that the right hon. and learned Member had done upon it, assisted by his hon. and learned Friend the Attorney General for England, he (Mr. Walpole) would venture to press upon the attention of Her Majesty's Government the consideration of what he believed to be a sound, safe, and practical scheme for the solution of the difficulty as far as the consolidation of the criminal law of England and Ireland was concerned. The first question which had occupied the attention of the late Government with reference to this subject was whether the law between the two countries should be assimilated or not, and it was agreed on all hands that it should be. The second question was whether the law could be amended and ameliorated, especially with reference to capital punishment. Upon that subject also there was an unanimous opinion in the affirmative. The third was the knotty question with reference to the law for conspiracy to murder, whether the laws on this subject of the two countries could be put on the same footing. It was also acknowledged that this ought to be done. Having come to these conclusions, the Government next considered whether the law of England and Ireland could be placed together in one set of Statutes, so that Parliament might adopt them without any reference to Commissions on a department of justice. They thought that possibly that could be done. His right hon. and learned Friend had therefore prepared five or six Bills for the assimilation, amelioration, and consolidation of the criminal law of the two countries, England and Ireland, and when they had the responsibility of one Government having recommended a measure of that description which was a part only of the great Question of the consolidation of the law, he (Mr. Walpole) would ask whether they wanted anything more than the responsibility of another Government in confirming and adopting it. It was incumbent upon the hon. and learned Attorney General, than whom no one was more competent, to examine the criminal law in England and Ireland, as proposed to be consolidated, and see whether the laws of the two countries could not be assimilated in this respect. If he thought they could, he (Mr. Walpole) would advise his hon. and learned Friend, if he would allow him to tender the advice, to take up the subject at once, to consult criminal lawyers, in whom he had confidence, to see whether the Bills would really ameliorate and consolidate the laws of the two countries, and then to state how far or with what amendments he would be prepared to accept them. If he proceeded with the measures he would meet with all possible support on that the Opposition side of the House. They would then have stated in one set of statutes the settled law of the country. The present, at any rate, was a good beginning, and he (Mr. Walpole) conceived that by this means they would be better able to arrive at a satisfactory conclusion than by talking about Departments and Ministers of Justice, or handing the matter over to Committees and Commissions.

MR. W. WILLIAMS observed, that there were now five retired Lord Chancellors who, he felt persuaded, would be ready to lend their aid to the solution of this question, instead of throwing all the work into the hands of the present Lord Chancellor. Then there was the late Lord Chancellor of Ireland, than whom it would be impossible to find a better man for the purpose, whether his industry or his learning were considered. He begged to offer these suggestions for the consideration of these learned persons.

Leave given.

Bills to consolidate, assimilate, and amend the Statute Law of England and Ireland, with respect to the Administration of Justice in Criminal Cases, *ordered* to be brought in by Mr. WHITESIDE, Sir FITZROY KELLY, and Mr. WALPOLE.

Bills *presented* and read 1°; to be read 2° on *Thursday*, 14th July.

METROPOLIS GAS REGULATION.

LEAVE.

SIR JOHN SHELLEY said, he rose to move for leave to bring in a Bill to regulate the proceedings of gas companies and others supplying the metropolis with gas. He did not expect any opposition to the Motion. The subject had occupied the attention of two Committees of the House in two different Sessions, but it would perhaps be more convenient if he deferred any remarks till hon. Members had had an opportunity of seeing how he proposed to deal with the subject.

Leave given.

Bill to regulate the proceedings of Gas Companies and others supplying the Metropolis with Gas, *ordered* to be brought in by Sir JOHN SHELLEY, Mr. BYNG, Mr. JOHN LOCKE, and Mr. AYRTON.

SUPPLY—COMMITTEE.

Order for Committee read.

House in Committee.

Motion, "That a Supply be granted to Her Majesty."

Queen's Speech *referred*.

VISCOUNT PALMERSTON moved that Mr. Massey do take the Chair.

Motion *agreed to*.

Queen's Speech read.

On Question "That a Supply be granted to Her Majesty,"

SIR HENRY WILLOUGHBY said, he wished to ask the noble Lord (Viscount Palmerston) whether, before the House went into Committee of Supply, any general financial statement would be made as to the income and expenditure of the country. For a year and six months there had been no such statement; during the last four months expenditure had been going on without any general statement; and probably no House of Commons knew less about the expenditure than the present. It was very desirable that an outline at least of the financial position of the country at the present moment should be made by the Chancellor of the Exchequer before the House went into Committee of Supply.

VISCOUNT PALMERSTON: Perhaps the hon. Baronet will have the goodness to repeat his question when my right hon. Friend the Chancellor of the Exchequer, shall—as I hope he will very soon—take his seat in this House. He will be much better able to answer the question than I am.

Resolved—That a Supply be granted to Her Majesty;

Resolution to be reported *to-morrow*.

House *resumed*.

House adjourned at half-after
Seven o'clock.

HOUSE OF LORDS,

Friday, July 1, 1859.

MINUTES.] *Sat First in Parliament.*—The Earl of Devon—after the Death of his Father.
Took the Oath.—Several Lords.
PUBLIC BILLS.—1ª Attornies and Solicitors; Church Rates.

APPOINTMENT OF MR. JUSTICE BLACKBURN.—OBSERVATIONS.

LORD LYNDHURST: My Lords, I wish to call your Lordships' attention to a recent appointment to the judicial bench—the appointment of Mr. Blackburn to a puisne judgeship in the Court of Queen's Bench. I have been asked who is Mr. Blackburn? and a journal which takes us all to task by turns has asked somewhat indignantly, "Who is Mr. Blackburn? Who is Mr. Blackburn?" I take leave to answer that he is a very learned person, a very sound lawyer, an admirable arguer of a law case, and from his general acquirements eminently fitted for a seat on the bench. These appointments are exclusively in the hands of the Lord Chancellor; he is solely responsible for them; but of this I am sure, that if the distinguished Judge who now presides in the Queen's Bench—a Judge remarkable for his knowledge of law, and for the admirable manner in which he applies it—had been consulted, he would have cordially concurred in the judgment of my noble and learned Friend on the woolsack. I owe this explanation to the learned Judge, Mr. Justice Blackburn—and I owe it also to my noble and learned Friend, though I know he can always take good care of himself. I am one of those who think it of great importance that the public should not entertain any doubt or any jealousy with respect to appointments to the judicial bench. I hope my noble and learned Friend will allow me to take this opportunity of congratulating him on his elevation—on his having attained everything that he has ever looked forward to. We may say of him in the words of the poet:—

> "Thou hast it now, King, Cawdor, Glamis, all,
> As the weird sisters promised."

Without being a countryman of my noble and learned Friend, I may take credit to myself for a species of foresight, having on a former occasion predicted the advancement of my noble and learned Friend.

The LORD CHANCELLOR: I should not have taken any notice of this question, "Who is Mr. Blackburn?" had not my noble and learned Friend thought fit to put the question and to answer it. I knew nothing of Mr. Blackburn, except what I knew from having seen him practice in the Court over which I presided. I have no private intimacy, and I declare, on my word of honour, I don't know of what side he is in politics. But I have known him as a sound, good, and able lawyer; one of the ablest in Westminster Hall. My only object was to appoint the person who I thought would best discharge the duties of a Judge in the Court of Queen's Bench. That was my sole object, and I have no reason to believe that it has not been attained. It is said that Mr. Blackburn had not a silk gown, but in former times that was never held to be test of fitness for the judicial bench. Lord Tenterden never had a silk gown, and a noble and learned Friend of mine, who was one of the most distinguished Judges that ever presided in Westminster Hall, had not a silk gown. I am convinced that the more Mr. Justice Blackburn's qualities and abilities become known the more will his appointment be approved.

Lord WENSLEYDALE said, he had been much astonished at the remarks made in various quarters as to the conduct of his noble and learned Friend in the appointment of Mr. Blackburn. He believed that no abler man could have been selected for the appointment. He was very glad to hear his noble and learned Friend say that he had no acquaintance with Mr. Blackburn's politics. He thought that, however, the higher offices of State might be distributed on these considerations, it would be impolitic to make the appointments to the judicial bench dependent on any other ground than attainments in legal learning. He believed that the conduct of his noble and learned Friend was animated by a desire to appoint only the best man that could be found.

Lord CRANWORTH said, he did not know anything of the merits of Mr. Blackburn, but he rose to say that in making appointments to the judicial bench, the circumstance of the individual not having a silk gown was never taken into consideration at all. When he recommended Mr. Justice Willes that gentleman had not a silk gown, and he had never heard any objection made to his appointment on that account.

RED SEA AND INDIA TELEGRAPH COMPANY (No. 2) BILL.

On the Motion that this Bill be now read a third time,

Lord STANLEY of ALDERLEY expressed a hope that in future Her Majesty's Government would not enter into contract with any company except subject to the conditions that the contract should be laid before Parliament, and should not be binding until Parliament had approved it, and that such contract should be embodied in a Bill, which Bill should, so far at least as it affected the public interests, be treated as a public Bill.

Earl GRANVILLE said, the subject alluded to by his noble Friend was under the consideration of the Government.

The Earl of DERBY said, he was glad to hear the statement of the noble Earl; but he hoped that the Government would not by any statement tie themselves down to a position that they would not under any circumstances give their countenance to schemes for the public benefit, or interfere without the sanction of Parliament, because in his opinion such a course would be both impracticable and injudicious.

Bill read 3^a, with the Amendment, and *passed.*

VOLUNTEER CORPS.

QUESTION.

Lord VIVIAN rose, to ask the Under-Secretary of State for War what were the intentions of Her Majesty's Government with respect to Volunteer Corps; whether they adopt the views of the late Administration, or whether they are disposed to supply a sufficient quantity of arms for practice purposes? He ventured to take this the earliest opportunity of eliciting from the Under-Secretary for War some information with regard to the intention of the Government on a subject of great importance, and one which demanded immediate attention and decision. In the month of May last, two circulars were issued by the late Secretary for War with reference to the formation of rifle corps. Under the conditions of one of them, arms and accoutrements were not to be supplied to rifle corps without expense. He much regretted the mode in which the matter had been treated by the late Government. He felt that the conduct of the late Government showed that they were making a concession to a public feeling, at that time very strongly expressed, rather than exhibiting any wish for the formation of these corps. In fact, that circular, he believed, tended rather to thwart than to aid the efforts of those who wished to see such corps established. Being Lord Lieutenant of a sea-board county, bounded on the one side by the English on the other by the Bristol Channel, and which had Plymouth—rather a tempting bait to an invader—at its eastern extremity he felt it to be his duty to afford every encouragement to the formation of volunteer corps, and he addressed a letter to the late Secretary for War, suggesting that it was desirable that a certain supply of arms should be issued to the proposed corps for the purposes of practice. Unfortunately his suggestion was not attended to, although he represented that in his county a large and efficient force might with such aid from Government be raised. What he wished to ascertain was, whether the present Government was disposed to encourage volunteering in the country, and especially in the sea-board counties, by supplying arms to corps that might be formed. He ventured to hope that Her Majesty's present Government would give more encouragement than the last to the formation of these important means of national defence, not only by supplying them with a sufficient quantity of arms, but that they would appoint competent non-commissioned officers for instructing them in the use of arms, and drilling them.

LORD AVELAND thought, that the claims of the Militia should be considered. He begged to ask the Under Secretary at War what steps had been taken, or were proposed to be taken, to afford instruction in musketry practice, or the use of the rifle, to the Staff of the disembodied Militia, so that they might be competent to teach their men; and whether Enfield rifles had been issued to them, or to the regiments of Militia ordered for training? He found that a large proportion of the disembodied militia regiments still used the old arm, and that the officers were unable to give the men any instruction in others of a better description. He had brought this question before the Government for a year and a-half; but now that other noble Lords were mooting it, and as large bodies of men seemed anxious to come forward and join these volunteer corps, he thought it his duty to claim the attention of the Government and to express a hope that it would be given to this subject in regard to the militia, and to put in what he considered this prior claim for rifles, and instructions how to use them.

THE EARL OF RIPON said, he was grateful to his noble Friend (Lord Vivian) for having given him the opportunity which his question afforded of stating to their Lordships what were the intentions of Her Majesty's Government in reference to a subject which had excited great public interest, and which had received much attention from many of their Lordships. His noble Friend had reminded them, to a certain extent, of the position in which the question stood when the present Government entered upon office. As he had stated, early in the month of May last, the late Government gave their sanction to the desire expressed by the public for the formation of volunteer rifle corps in different parts of the country; and in the course of that month two circulars were issued from the War Office—one on the 12th, and the other on the 25th—the first of which, addressed to the Lords Lieutenant of counties, informed them that it was the intention of the Government to sanction the formation of those corps upon certain conditions. Those conditions were that the formation of the corps should be recommended by the Lord Lieutenant of the county; that it should be formed in accordance with the provisions of the Volunteer Act of 44th *Geo.* III.; that the members of the corps should take upon themselves all the expenses of the corps; and that the rules and regulations for the government of the corps should be submitted to the approval of the Secretary of State. Up to the present time only 12 companies had been formed under the circular so issued. The second circular contained able directions with regard to the management, discipline, and organization of these corps, but did not in any respect change the principles laid down in the first. When his right hon. Friend, the present Secretary for War entered office he found affairs in this condition. There was a large number of projects for the formation of rifle corps; but, as he had already stated, only twelve had actually presented themselves in an official shape. The Government readily acknowledged the public spirit and loyal feeling which had actuated so many of Her Majesty's subjects in coming forward to form these corps; and it was their full intention to carry out the views of the late Government in respect to the sanction and encouragement which should be given to them. When his right hon. Friend entered office the turning point seemed to have been reached with regard to this question, and upon the course which the movement might take in the next few months, or even a shorter period than that, appeared to depend whether these corps would be really military bodies in the proper sense of the word or be mere rifle clubs. The only advantage which could be derived for defensive purposes from institutions of the latter class was, that they might thereby obtain a considerable number of persons throughout the country who would be practised in shooting with the rifle; but in any other sense they would not be military bodies. Desiring to give encouragement to the feeling which had actuated so many persons in forming these corps, and at the same time wishing to ensure, as far as possible, that the utmost benefits should be derived from these voluntary organizations, the Secretary of State and the Government had determined to deviate from the course which had been followed by the late Administration in one or two points, one of them of special importance being that which his noble Friend had alluded to in the latter part of his question. Instead of declining to supply any arms whatever to these corps, and leaving them to be provided entirely at the expense of the members, the Government had determined to issue arms at the rate of twenty-five stand of rifles for every hundred men who might be enrolled, and to issue them upon certain conditions. These conditions were four in number and would be made necessary preliminaries to the sanction of any corps. In the first place, the Secretary of State would require to be satisfied that they were able to provide a safe and adequate range for rifle practice; an officer would be appointed to inspect the range proposed to be established, which must at least be 200 yards in length, and that officer must be satisfied that it was fitted for the purpose for which it was intended. The second condition was that the corps should provide a safe place for the custody of the arms entrusted to them, and also a competent person to take charge of them. The selection of that person, and the expenses necessary to be incurred for the purpose, would be left to themselves, subject to the sanction of the Lords-Lieutenant. In the third place, the Government would require that the rules and regulations for the government of the corps should be submitted to the Secretary of State, and be approved and sanctioned by him. And lastly, the corps would be subject to inspection by a proper military officer to be sent down for that purpose by the Government. When these conditions had been complied with and sanction given to the formation of the corps, rifles in the proportion he had mentioned would be issued for instruction and drill, and the Government would be prepared to arm the volunteers completely in the event of that of which he trusted there was no present danger, an invasion. In addition to this the Government had decided—still following in the steps of their predecessors in office—to allow the staff of the disembodied militia to be employed for the purpose of instructing the rifle corps in drill, for which the corps would be required to pay them a shilling a day, and to provide them with sufficient billet or lodging. And now, in reply to the question which had been put to him by the noble Baron (Lord Aveland), he believed he might say that it was in contemplation to provide means for instructing in musketry, at the Hythe School of Musketry, a certain number of adjutants and sergeants of the staff of the disembodied militia. The matter was not yet finally settled, however, but was waiting the decision of His Royal Highness the Commander-in-Chief. He believed it was contemplated to afford means, in the course of the present summer, for the instruction of something like twenty-five adjutants and 100 sergeants of the disembodied militia, at Hythe; and, of course, such a measure as that would add greatly to the facilities for drill of either the militia or the volunteer rifle corps. The drill sergeants ought not to constitute a permanent charge to these corps, because, so far as the ordinary purposes of drill were concerned, they would, before long, be able to provide themselves with instructors from the members of their own body. But to secure to them still more advantage in respect to musketry instruction His Royal Highness had decided that a modified course of musketry instruction at Hythe should be open to the officers and members of the volunteer corps, to commence at the end of July and to continue fourteen days; the expense, of course, being borne by the officers themselves. His (the Earl of Ripon's) remarks up to this point had applied chiefly to rifle volunteers; but Her Majesty's Government entertained an especially strong sense of the utility of forming artillery corps, and trusted that the Lords-Lieutenants of maritime counties would use their best endeavours to promote in their districts the establishment of corps of that kind. In accordance with the decision of the late Government, guns, ammunition, and instruction would be supplied to such corps; the guns and ammunition to be under the charge of the Royal Artillery. In the event of invasion those artillery corps would prove most valuable, by setting free the Royal Artillery for service in the field. His right hon. Friend the Secretary of State thought that it was necessary to proceed in regard to these matters somewhat cautiously. The movement was as yet in its infancy, and it was undesirable to come to any positive decision until they could see what course its development would be likely to take. Consequently, it was only contemplated at present that the organization should be by companies; and that any other arrangement should be left for consideration hereafter—but a circular would be issued to the Lords-Lieutenants of counties as soon as possible, containing the conditions upon which these corps were to be formed. Her Majesty's Government, he might repeat, were fully sensible of the public spirit which had animated those who had come forward to organize these corps, they believed that corps of this description would be very valuable for defensive purposes and it was the object of his right hon. Friend to make them as efficient as possible consistently with the principles that must govern corps of volunteers. With regard to the second question of the noble Lord (Lord Aveland) as to the supply of Enfield rifles to the militia, he believed

The Earl of Ripon

that assistance of that kind might be given to the staff of the disembodied militia as soon as there were persons upon that staff who had been at Hythe, and were capable of instructing the rest of the staff in the use of those rifles. Indeed, as to the disembodied militia generally, it was naturally the wish of the Government to supply them with the rifles; but that must be a gradual process, and dependant upon other demands for the supply of rifles; he was therefore unable to inform the noble Lord when it was likely that the views of the Government in that respect would be completely carried into effect.

The Earl of ELLENBOROUGH said, there was one point in the observations which had fallen from the noble Earl who had just spoken to which he wished briefly to advert. The first condition which he understood was laid down by the Government before they would consent to supply volunteer corps with arms was that they should procure a space of ground for practice to the extent of 300 yards free from all danger, and that their proceedings should take place under the inspection of a public officer. Now, that appeared to be a very proper course to take; but he must remind his noble Friend that all these new rifle corps must, in point of fact, be set on foot in towns, inasmuch as it would be found quite impossible to establish them in the country districts, where the population was so widely distributed. Now, that being so, their Lordships must bear in mind that there were in the vicinity of towns so many footpaths that, unless Parliament interposed, it would be impossible to find a sufficient length of ground for the necessary practice of the various corps. The Legislature might, he thought, so far interfere as to give authority to the commanding officer, by public notice, and the posting of sentries, to cause the footpaths to be stopped up during the hours of practice; otherwise no efficient training in the use of the rifle could be carried on.

The Earl of RIPON said that, although their Lordships might be willing to pass an Act of Parliament for the purpose to which the noble Earl referred, yet it would, he feared, be extremely difficult to procure the assent of the House of Commons to such a measure.

The Earl of HARDWICKE said, he understood that 25 per cent. of the rifles necessary for the practice of volunteer corps were to be supplied to them by the

Government. He should like to know whether that 25 per cent. was to be regarded as a loan for practice only, or whether each of the 100 men who composed a company were to provide their own rifles.

LORD VIVIAN said, the noble Earl must bear in mind that the corps in question were merely volunteer corps, and that the 25 per cent of rifles would be supplied to them merely for the purposes of practice.

LORD HOWDEN said, there was one word—the word "invasion"—which had occurred in the speech of his noble Friend the Under Secretary for War, and to which he wished to advert, because he believed it to be a word to which the same idea did not attach on this as upon the other side of the Channel. Entirely different opinions were entertained here from those which prevailed in France as to the motives by which an invasion of this country might be prompted, and the results to which it might lead. The English were a cold-blooded, calculating people, who sought to know the value of a thing in coming to a decision with respect to it. They could not understand the meaning of such a wanton effusion of blood and treasure as would be occasioned by any attempt on the part of France to invade our shores, unless they coupled with the idea of the will to do so the expectation on the part of Frenchmen to succeed in conquering England. Now, that was a very logical view to take of the subject, but it was not French. He did not believe that the idea of conquering this country had ever entered into the head of any sane Frenchman, any more than any sane Englishman had ever entertained the notion that we should allow ourselves to be conquered by France. He felt assured that no Frenchman had ever dreamt of taking possession of this island; but he felt almost equally certain that every Frenchman living dreamt both by day and night of humiliating this country, and robbing her of the position which she alone maintained among the nations of Europe—that of possessing an inviolate soil. Thousands of persons in England scouted the very thought of an invasion. They asked, "What is the use of it?" They said, "It could have no permanent result." The people of France were aware that it could not; but then they did not adopt the same mode of reasoning on the subject. A forlorn hope might enter some miserable village inhabited by six fishermen and a ploughboy, a bulletin might be signed on British soil, proclaiming the glorious triumph of French arms; the French eagles might stream from every steeple from Acton to Ealing and from Ealing to Harrow; the very prospect was enough to throw every Frenchman into a transport of joy, and that, too, although he might be perfectly aware that not a single one of his countrymen would return home to tell the tale. Such a state of feeling was incomprehensible to a cold, calculating Englishman. He should, however implore their Lordships not to indulge in the cut-and-dry supposition that an invasion of our shores was a thing impossible, or to measure the probability of it by mere politico-economical considerations. It must not be imagined that because there were so many material and industrial interests involved in the question it ought not to be viewed in a serious light. He had heard similar arguments urged in 1830 against a change of dynasty, and in 1848 against the possibility of a revolution breaking out in France; yet their Lordships knew what had taken place on both these occasions—he hoped it would not prove the same on the third occasion. He should, above all things, beseech their Lordships not to have recourse to sentimentalities. He knew well what the Imperialists thought of the English alliance. They said nothing against it. They seemed to look upon it as a very fine idea, a very excellent thing in its way. They spoke of it as the French philosophers of the *Encyclopédie* had spoken of the Christian religion at the end of the last century. They called it a beautiful invention, but one that had performed its task. They said, "*son temps est fait.*" He did not make these statements lightly or for the mere pleasure of doing so. He resided in France, and his social relations were chiefly in that country. Nothing, therefore, could be a greater misfortune to him than that such an event as that to which he alluded should take place. But breathing the atmosphere by which he was surrounded in France, he could not help hearing and seeing that the great motive which had urged the Emperor Napoleon to wage war against Austria was to make a general, though a tacit appeal to all the nations of Europe, except that of which he was the head, to unsettle themselves. The appeal was made to Poland, to Hungary, perhaps to Ireland—in a word, to every country—for the purpose, as it were, of producing a general dislocation of the affairs of the world; with what object he could not say, inasmuch as he could not presume to fathom the depths of the mind of him who now acted a chief part on the Continent of Europe. He should not venture to divine what might be the next move of His Imperial Majesty the Emperor of the French on the political chess-board. He could not prophesy whether he would checkmate the world or be checkmated himself. But, be that as it might, he was anxious that the Government of England, be it Whig, Radical, or Conservative, should be as well aware as he was that the only way to unite together all parties in France—Republicans, Imperialists, Orleanists and Legitimists—would be to enter into a war with this country. Such a war was the only one which would ever be universally popular in France, and, however reckless the attempt to invade England might be—however devoid of all rational hope of success—there was not a single widow in France who would not give her last son, or a single beggar who would not give his last penny, to carry out such a project.

THE EARL OF HARDWICKE asked whether it was the intention of the Government to arm completely the volunteer corps as soon as that object could be effected.

EARL GRANVILLE thought his noble Friend had sufficiently explained that twenty-five rifles were to be supplied to every hundred men. It was thought that the various corps would thus have ample means of instruction in firing these weapons. Some of the members would, no doubt, supply themselves at their own cost with rifles like those of the Government, so as to be able to use the same ammunition; and, in case of invasion, the whole corps would, of course, be placed in possession of these weapons.

THE EARL OF HARDWICKE said, his objection to this plan was that by supplying arms to the rifle corps they would be likely to enlist a class of men whom it was the special object of the late Government to avoid enlisting — namely, those who would otherwise join the army or the militia. In proposing to furnish rifles to this extent he hoped the Government had informed themselves as to the actual supply of these arms; for the promise seemed to him a very large one.

THE DUKE OF NEWCASTLE admitted that if, in dealing with these volunteer corps they reduced the number of recruits for the army or militia, they would be doing great injury indeed. But would that be the case if arms were granted, as proposed, for purposes of practice? Their Lordships must recollect how very heavy would still be the expense to Members of rifle corps. The Government did not intend to furnish them with accoutrements or with a practice ground; neither were the members to receive any pay; and he was certain that these were not terms likely to be accepted by men who would join the army or militia. It was the opinion of the Government that though it would not be right to throw upon the country any greater expense for the issue of arms than was now proposed, it was not desirable to render these corps too select or to prevent such persons from joining them as would be willing to do so on receiving this very moderate assistance. They thought the corps should be composed of all classes. Another object was attained by the proposed issue, for the Government would thereby acquire a right to insist on the safe custody of these rifles, besides insuring that they should always be found efficient when wanted, and not in such a state as a delicate weapon of the kind would probably fall into if left to individual care and custody. With regard to the other point raised by the noble Earl, he could only say that in Nottingham his first step had been to consult the officer commanding the militia in that county, as to how far the formation of rifle corps would be likely to impede the recruiting for the militia, and that officer said he was convinced that the enlistment of men for the line and the militia would not be interfered with by the encouragement of those volunteer bodies.

THE EARL OF DERBY agreed with the noble Duke in thinking that the proposed corps would not be likely to interfere with the enlistment for either the line or the militia, because the men who joined the rifle corps would belong to an altogether superior class. He did not, therefore, object to the course which the Government intended to take in thus going somewhat beyond the scheme of the late Ministry, provided they had satisfied themselves that they would not be unduly encroaching upon the supply of rifles for the regular service, in fulfilling the obligations they had taken upon themselves. The supply of Enfield rifles for the use of the army, whether by the efforts of the trade or of the Government factory, appeared to the late Government insufficient to warrant them in otherwise disposing of any considerable proportion of these arms, and upon those grounds it was that they had not thought it expedient to provide these corps with rifles. If the present Government had satisfied themselves that there was an abundance of rifles, and if they thought they could without inconvenience meet the demands of the volunteer corps, he had not a word to say against such an arrangement; but the late Government had come to a different conclusion.

The Duke of NEWCASTLE replied that the question mooted by the noble Earl had been carefully considered by the Secretary for War, who had satisfied himself that from the number of rifles now in store, and coming in weekly, ample means would be provided for meeting the wants of the volunteer corps.

The Earl of SANDWICH suggested that the disembodied officers of militia should be supplied with the Enfield rifle, so as to be the better qualified to instruct the volunteer corps.

The Marquess of LONDONDERRY asked whether the Government intended to embody the Irish militia, and said that attention ought to be directed to the use of the arms of those regiments, which were usually found in the very worst condition.

In reply to the Earl of Airlie,

The Earl of RIPON said, he thought he had stated that the Government did not intended to supply these corps with any musketry instruction at the public expense; but the illustrious Duke the Commander-in-Chief had made arrangements which would enable the volunteer officers, if they thought fit, to go through a modified course of instruction at Hythe. With regard to the embodiment of Irish militia, that was a question which he was not prepared to answer without notice.

THE NAVY ESTIMATES.

QUESTION.

Lord BROUGHAM: After the lamentable accounts which have reached us during the last two days—lamentable as every one must feel them, whatever be his opinions or his wishes respecting the war, I rise to discharge a duty to this House, to the country, and to humanity. Closing my ears to the shouts of triumph raised by one party, to the murmurs of others complaining that such enormous carnage should have had no result, and to the cries of the defeated, disappointed it is said, perhaps untruly, in their hopes of abating the nuisance of a free Government in their neighbourhood—from these I turn aside, that I may give utterance to the thoughts which should be uppermost in all men's minds towards what party soever in the contest they may lean. A slaughter has been committed unexampled in the history of our race; and at the time I speak it has not ceased The British Senate has been called the refuge of oppressed nations; whether it deserves that title or not, I know that it is the refuge of suppressed feelings; of right feeling and sound principles; the lacerated feelings of humanity, and the outraged sense of justice. The heartfelt sorrow for what has befallen so large a portion of our fellow creatures—the heavy censures—the deep indignation roused against the perpetrators of that enormous slaughter, can find no vent elsewhere; stifled, or altogether suppressed in some countries by the arbitrary commands of despotic power—drowned in others by the clamour of popular violence. But here those natural feelings are the cherished growth of the soil; and in this high court of justice they charge by a name technically familiar to us, which I abstain from using, the wilful authors of the war, be they who they may, by whatever motives actuated, whether stimulated by the thirst of vain glory, or moved by the cold calculations of selfish interest, or possessed with the jealousy of free institutions, or inflamed with the lust of conquest — whoever they be, and by whatever passions incited, the wilful authors of the most unprovoked and indefensible war ever waged, and their guilty accomplices, have dyed the plains of Italy and made her rivers flow with the blood of innocent men—innocent because the dupes of their arts or compelled as unwilling instruments in their hands. But let us be just to France. Her ruler has disclaimed for her all desire of conquest, or aggrandizement; and so far I verily believe that the French people will be no gainers in any manner of way. They will bear the burthen, will pay the cost without receiving the profit. The crop is raised with their blood, but they will not reap the harvest. Then who is to gain by the horrible carnage of which the Lombard plains are now the scene? Is it the Italian people? No one more earnestly desires than myself to see the oppression cease under which they have so long suffered. In every quarter from north to south that people has been grievously misruled; and no one would rejoice more at their freeing themselves from the Austrian yoke and their other burthens. But when I contemplate the policy which seems now to prevail, I am thrown back in my recollection to the evil times which some of your Lordships, with myself, are old enough to remember, and to remember with horror—I mean the wholesale dealing in revolt and insurrection of the National Convention. I speak of their celebrated decree of the 19th of November, 1792, which, if it did not begin, extended the war over Europe, and continued it for above twenty years—the decree holding out the hand of fellowship to whatever people should revolt against their rulers, and not only giving them countenance, but offering the assistance of their armies, and instructed their generals wherever an insurrection had happened to protect all engaged in it from the punishment which they had incurred. At the present day the course is not by decrees, but by acts and deeds, showing the insurgents that they may expect help; and the traffic in revolt is not as in 1792, carried on wholesale but by retail. One day it is the north of Italy against Austria; another it is the Duchies against their rulers; a third day it is Hungary against Austria; a fourth, it is the States of the Church and the Legations against the Pope. All are parts of a system called that of Nationalities in the north of Italy, and everywhere else. It is singular, too, how in adopting the system of 1792 and 1793, they have also adopted the language of those dismal times. I speak not of France, but one of her allies, an ally in whose dominions every effort was made, every mode resorted to for rousing a warlike spirit and breaking the peace. I have seen with my own eyes the topics used by the Government press in that country, and the excitements to war in daily effusions of the war party,—that is the Ministerial party. The remedies were of various kinds and applied in different ways. But the first I chiefly remember, and remember having seen with no little horror, was this,—"War, it is true, may be an evil; but there are many evils in this world of ours; ills there must be and wars;" and it was added, "National independence, the liberation of oppressed peoples, is a tree that requires a sufficient manuring of human corpses" (*un engrais suffisant de cadavres humains*). Now, in the days of the Committee of Public Safety, St. Just, the execrable accomplice of Robespierre, employed the same expressions, "Liberty," he said, "must be founded upon mountains of human corpses" (*monceaux de cadavres*). I had fondly hoped that the last war had been waged in the name of liberty, but unhappily we have lived to see in that desecrated name massacres so horrible in their extent, and attended with such unheard-of cruelty, that the mind recoils from the contemplation. The war, it may be said, has gone too far to be stopped; but I trust that England will interfere at the very earliest moment for the restoration of peace, and that, too, without ever asking who was to blame. Let it be the rule to make bygones, bygones; let us say both parties are equally to blame, or all alike blameless. It is to be hoped that the losing party may perceive that by persisting in an unequal contest she will only lose the more. It is greatly to be dreaded that Germany may be induced to take part in the struggle. There can be no doubt there exists already too much disposition to break the peace in that quarter; and if the sword were once drawn there, no man can tell to what extent the war may go, or when it may end. There is no actual attack threatened against Germany; the danger is only that of a possibility; and it is therefore earnestly to be desired that every effort may be made to keep Prussia from engaging in hostilities, and to prevent that greatest of all calamities, a general war. I have no fear of an invasion of this country, and I think my noble Friend opposite (Lord Howden) has taken a too gloomy view of the feelings of the French people on that subject. I firmly believe that all persons of respectability in France, all educated persons, all persons of property, they who represent public opinion, are hostile to the present war, and lament that it should have broken out. The multitude armed, and unarmed, may indeed have had their heads turned by temporary success, just as they would, on the other hand, be the first to be cast down by any reverse of fortune; but they are not those to whom we must look for sound public opinion. The whole country was averse to this war until it was actually begun, and then the reprobation of it diminished with the excitement of the occurring events. But it is still strongly disliked by the bulk of the community. That dislike is nothing compared to what would be felt and loudly expressed by all classes were the Government to break with this country. I firmly believe that no act of the Government could excite greater indignation than a quarrel with England. But is that any reason why we should not be prepared? Quite the contrary. We say to France, "We don't distrust you, we don't believe that you will do us any wrong; we rely on your professions and your promises. Nevertheless, common prudence requires that we should guard against every possibility, and possible danger may arise from a change in your Government; for no one can tell what might in that event be the disposition of your military classes." Let us therefore be prepared by land and by sea. Above all, let us be prepared by sea. I hope and trust that I shall have a satisfactory answer to my question from the noble Duke opposite, and that it be authoritatively declared that there is no foundation whatever for the report as to the Navy Estimates being lowered. Instead of the preparations of the late Government being lessened, I would rather that they might be extended, so as to render an attempt upon our shores, happen what may, absolutely impossible. There is the widest difference conceivable between a constitutional Government, with a free Parliament and a free press, and Governments such as those of the two allies, France and Russia, where every expression of public opinion is stifled. My belief is that had there been a free Government in France, this lamentable war in Italy would have been utterly impossible. It arose from there having been no legitimate vent for that public opinion which was at first quite unanimous against war, although when hostilities had been actually declared a certain change took place. Under those circumstances, and having regard to the naval force of France and Russia, it is our bounden duty to make it absolutely impossible that the channel should be commanded even by the united fleets of those two Powers.

THE DUKE OF SOMERSET (who was very indistinctly heard) said, he trusted that, in answering the question of the noble and learned Lord, he would excuse his not following him through the various topics touched upon in his speech. He would confine himself simply to giving the information which the noble and learned Lord seemed to require. In doing so he should lay before their Lordships such information as he possessed respecting the progress which had been made in the reconstruction of the navy; and here he felt that he had to represent the late Government rather than the present. He had seen with great surprise a statement in the newspapers that he had commenced the duties of his office by reducing the Navy Estimates, and striking off a large number of men from the dockyards. But the fact was that he had not taken a single step in either of those directions. He would state to their Lordships what had really happened. On the 11th of April last the Board of Admiralty being very properly desirous of expediting the works in progress in the dockyards, ordered that the men should work extra hours. At a later period it was considered that further works were necessary, and additional men were ordered to be taken on, and on the 5th of May it was ordered that more men should be employed upon the works in the dockyards. It was a perfectly right course on the part of the late Government to put on an additional force of men as soon as they saw it was necessary. In this respect, therefore, he (the Duke of Somerset) was quite ready to defend the course adopted by the late Government. A great deal had been said for many years past about the way in which the Navy Department had been administered. Now, it happened that when he was a Member of the House of Commons an inquiry was directed to be made into the Navy Estimates, and as Chairman of the Committee, he had before him all the leading persons who had been connected with the navy for a long time previous, and he had thus collected a great deal of information on the subject. It appeared that for thirty or forty years great economy was practised in the Navy Estimates, and very little expenditure was incurred. He now rejoiced that such economy had been practised, for had it not been so, the money would have been entirely wasted, the class of vessels built would have been entirely unsuited to the present exigencies, and if a number of vessels had been launched they would have been perfectly useless, and the country would now have to pay just as large a sum for the reconstruction of the navy. That was the course for a long period of time. Then came the period of steamships, but of steamships with paddles, when the Admiralty again set to work and produced a number of vessels of that class. But before many years had elapsed the screw-propeller was introduced, superseding the use of the paddle. If, therefore, they had gone on building steamers fitted with paddles, they would have been found unsuited to modern requirements. From a return which he had in his hand, it appeared that in the year 1847—the year before the inquiry to which he had referred was made—there was not a single ship of the line with a screw. In January, 1853, which was the date of the next return, the Government had got as far as 17 vessels with screws. The next return was one of the 1st of January, 1859, when it appeared that we had 50 line-of-battle-ships with screws. Since this time the Government had gone to work with considerable industry, and whereas in January, 1859, the total number was 50 screw ships, on the 1st of July, 1859, the number was 57. Thus there had been a continual increase; and, meanwhile, the country had been saved the expenses of machinery, dockyards, and of executing the necessary works. The late Board of Admiralty had further resolved upon the construction of a vessel of 6,000 tons—whereas the largest vessels hitherto had not exceeded 4,000 tons in size—which was to be coated with iron. Vessels of this kind could not be built under an expense of less than a quarter of a million, and if we were to go on producing vessels of this class, it would occasion a most enormous expense to the country. But as far as the instructions adopted by former Boards of Admiralty were concerned, in no respect had the Estimates for the naval armaments of the country been diminished by the present Administration. In going into this question, moreover, it was not sufficient that larger Estimates should be taken—it was necessary that the expenditure should be properly adjusted. If he (the Duke of Somerset) wished to produce a number of vessels upon paper, the best course he could take would be to convert existing vessels into screw line-of-battle ships. Thus a fleet would be produced upon paper, but it would consist of vessels of comparative inefficiency. But, after all, the great question with which they had to deal was the question of manning the navy. This was a subject which must also be attended with very considerable expense, of a threefold character; first, that which arose from the immediate loss occasioned by taking men from their usual engagements; secondly, that of bringing up a number of men from boyhood to serve as sailors, which was a very effectual process; and thirdly, the adoption of an extensive system of bounty, which, though there could be no doubt of its necessity, must also entail a great expenditure upon the country. In dealing with all these questions a great degree of careful attention was necessary. On all accounts, however, it was essential to bring our naval force into a state of efficiency. What they had to provide for was not merely a question of attack upon the shores of this land. They had to consider the position of the country as a great maritime power, and they must endeavour to maintain the country in that position at however great an expenditure. No doubt a great outlay would be required for this purpose, much of which would be entirely wasted: but it was both justifiable and necessary as a precautionary measure, because if in the capital or any other seat of commerce any feeling were to prevail that this country was not properly protected, the pecuniary loss sustained by the country would be very much greater than any sums which would be necessary to be expended for its defence. That was the view he had taken with regard to the future position of the navy; and he could assure the House that, both with regard to providing ships and the men for manning them, the present Board of Admiralty were as anxious to do their duty as the late Board, and to pursue a course which would place the maritime defences of the country in a satisfactory condition.

THE EARL OF HARDWICKE said he felt very much satisfied with the statement, as far as it went, of the noble Duke. He cordially joined in the sentiment expressed by the noble Duke that the great object to be achieved was the raising the maritime defences of the country to a pitch of efficiency which would preclude all apprehensions of invasion. He held that it was the duty of the Government to render the navy of England sufficiently powerful not only to maintain the British Channel as the British Channel, but to enable us to insist that the boundaries of this country in that direction should be the low-water mark on the French shore. They might talk of the militia, rifle corps, and all the rest of it, but if there was a chance of a hostile fleet of men-of-war appearing off the English coast, such would be the feeling which it would produce in the country that far more pecuniary suffering would be occasioned than any that the noble Duke could cause by any measures he might take for placing the naval defences on a satisfactory footing. In former wars our Parliamentary Government had been able to maintain great naval forces; but he might be permitted to refer to the condition of the French navy during the last war, and to the manner in which that navy surmounted the difficulties it had to encounter. In 1794, the year after the commencement of the war, the French had seventy-seven line-of-battle ships, and 176 frigates. In 1812, having suffered defeat at Trafalgar, and having sustained severe blows at various other times, their line-of-battle ships had risen to 113, and their frigates to 272. So that, even then, in the face of such disasters, their power of production was such as to give us ample warning of the achievements in that respect, of which the means and energies of the French people were capable under the most adverse circumstances. The noble Duke had made a statement of what had been the progress of advancement in the British fleet during the years 1853 to 1859. The year 1853 was the year after the retirement of his noble Friend (the Earl of Derby) from office; and in the year 1852 the first screw line-of-battle ship was built, under the naval administration of the Duke of Northumberland. From 1853 to 1859, the rate of progress of the British navy had been very irregular. To the close of 1857, when the late Government took office, there were afloat twenty-five screw-sail of the line. During the 411 days of the late Administration the Government had raised the number to fifty sail of the line. Nothing, he understood, had had so great an effect upon the French people, nothing had created so great astonishment, as this rapid power of production by the Government and the maritime yards of this country; and it had, as he had been assured, formed a subject of consideration on the other side of the Channel. But there was one description of vessel the creation of which would render very great service to the navy if due attention were paid to it. He would venture to suggest to the noble Duke that while he was rapidly augmenting the strength of the naval force he should turn his attention to the condition of our frigates. That class of vessels, being of a light draught of water, it was well known were extremely useful in time of war in enabling a belligerent to know where his enemy was, as well as for purposes of convoy and communication. They might be considered as the eyes of the fleet. In 1815 this country had as many as 314 frigates; and their Lordships would remember that Lord Nelson, who always placed the greatest reliance on that class of vessels, said on one occasion he believed after he was dead the word "frigates" would be found engraven on his heart, for without them he could neither see nor hear. In frigates the French were still superior to us. The question of money was of comparatively little importance, and he trusted the noble Duke would only take into consideration how he could best use the power of production at his disposal, and how he could most efficiently obtain men for the ships when built. In the evidence laid before the Commissioners for Manning the Navy, it appeared to be the opinion of the chief authorities that in the event of hostilities it was of the greatest importance that this country should have three fleets—one of 30 sail of the line in the Channel, one of 20 sail of the line in the Mediterranean, and another of 20 sail of the line in the North Sea, with frigates and light vessels in proportion. There could be no safety to the country unless the navy were raised to that extent. Then there were the demands of our foreign and colonial stations to be supplied; so that altogether, according to the best authorities, we ought not to be content with less than 80 sail of the line and a proportionate number of frigates and light vessels. This might seem a large force to be under the necessity of keeping up, but it must be remembered that in 1815 we had 831 vessels afloat, of which 244 were line-of-battle ships and that now we had only fifty sail of the line, which were not all ready for sea. All the points relating to the subject of manning the navy were dealt with in the Report of the Commissioners. It might be objected to that Report that it was somewhat speculative, and no doubt it was open to that objection, because, in the first place, it was not certain that the number of men necessary to form a reserved volunteer corps could be got; nor when they were got and their names entered on the books was it certain that they would always be forthcoming when wanted. A great number of shipping masters had been consulted by the Commissioners on this question, and they were all of opinion that a retaining fee would be likely to induce a number of men to come forward and enter themselves, and they thought that this plan, if limited in a certain way—giving the fee only to men engaged in short voyages—would secure all the advantages required. The late Government had placed the matter on such a footing as would, in a few years, if the present Government carried out their views earnestly, place the country in a most satisfactory position in regard to manning the navy. There would be an absolute certainty of obtaining men when they were needed, and great expense would be saved by doing away with the necessity of keeping up large establishments when there was no use for them.

THE EARL OF ELLENBOROUGH: My Lords, I heard with great satisfaction what fell from the noble Duke opposite with respect to the intentions of the present Government on the important subject of the navy; but it was no more than I expected, because I could not but bear in mind what fell from Lord Palmerston two or three years ago, in the course of a discussion on the navy in the other House. The noble Lord said, he thought the navy of this country ought to be equal to contend not only with the navy of France, but also with the navy of any other great maritime Power united with France; and I think it is impossible that under the present circumstances of the country, which are much graver than any which existed at that time, or indeed, in my opinion, at any time during the last half century, Lord Palmerston could in the slightest degree have changed that opinion. If that be the object which we have in view, the noble Duke must feel that he is only in a state of progress, and that he has a great deal to do. I believe I might venture to go as far as my noble and gallant Friend who spoke last, and say that no force of line-of-battle ships less than seventy would be sufficient for the protection of our maritime interests. I would not distribute them as he proposes to do, but that number we ought to have. We ought to have, also, a proportionate number of smaller vessels for the protection of our trade, for it must be recollected that however equal our navy may be with the navies of France and Russia, the detachments we are compelled to send out for the protection of our colonies and our trade, extending all over the world, are so great that the force remaining for the defence of our own country is by no means so great as we ought to have. But I rose principally to endeavour to impress upon your Lordships and the country the truth which I feel most deeply, that no extent of increased efficiency which you can give to your navy can now, under the changed circumstances of navigation, give you an effectual protection against invasion, if an enemy be determined to invade you. The advantage which an enemy determined to take the initiative derives from the possession of forts like Brest and Cherbourg, and from the improvements in steam navigation, are so great that, at least during six months in the year, he may land 60,000 or 80,000 men upon any beach on the south coast of England. But recollect that the great advantage of a powerful and superior fleet is, that though a force may be landed it loses its communications. The late Emperor Napoleon said—and I have no doubt the present Emperor has seen reason to adopt the maxim—that the science of war consists in the science of communication. If that be so, no prudent general would land a force in this country unless he had a reasonable expectation of always being able to preserve a communication with the country from which that force had come. And this leads one to offer a suggestion for the immediate consideration of the noble Duke, which is this—that no time whatever should be lost in protecting all the ports and all the roads in which it would be possible for an enemy to place a fleet with any degree of security, and where he might form *tête de pont* that would assist his future operations. I trust he will lose no time in placing at every one of these points—and I particularly recommend to his notice the port of Portland—some one fort at least, capable of sustaining a siege of a week or a fortnight, so that it would be impossible for an enemy to hold that position with a fleet to assist his operations. I refer to the new port of Portland, that port which the late French Ambassador went down to reconnoitre, and which he took the trouble of visiting at the end of last summer in order to see the particular advantages it possessed. I trust that whenever that respectable gentleman goes to that port again he will find it in a better position than when he saw it last. Now, my Lords, whatever you do with respect to the navy, it is impossible to neglect your army—that military strength by which at last must be defended everything we value. The noble Duke is right to extend the force of the navy. It is a security for our interest and honour, and it may be productive of great advantages in carrying on our defences. But of itself our navy is not sufficient, and unless you determine to establish on a permanent and secure basis the future military defences of this country, I feel confident that, considering the passions that animate persons on the Continent who are hostile to us, considering the vast power at their disposal and the reasons for running the risk of invasion, I can speak with perfect assurance, and to my own mind almost in the language of prophecy, that the attempt will be made, It will not be made during this war. What we have to apprehend is when this war has terminated — when France has broken the military strength of Austria,—when she has terrified the other Powers of the Continent—when there is a close connection and understanding with Russia—and when she has the opportunity of bringing a disciplined and victorious army—for they will consider themselves certain of success—to realize the last project of the Emperor Napoleon I., all whose projects the present Emperor has boasted it is his fate to accomplish. I cannot close these few observations without expressing my conviction that if we do not take advantage of this respite of time —of the advantage given us by the war France is engaged in—we shall imperil everything that every man in this country values—its independence, its honour, and its constitution.

CHURCH RATES BILL.

PRESENTED AND READ 1ª.

Lord PORTMAN *presented* a Bill to abolish Church Rates, and to make Provision for the Maintenance of the Fabrics of Churches. The noble Lord said, that in the then condition of the House and of the right rev. Bench he would not enter into any statement concerning church rates. He would merely ask the House to read his Bill a first time, with a view to its being printed before the debate should take place on the proposed Committee on this subject, which had been postponed by the noble Duke (the Duke of Marlborough) to a future day. Meanwhile he would only say that the difficulty of settling this question was becoming greater as the delay of doing so grew, and that, were it longer postponed, it might become impossible to settle it on the basis which at present satisfied the great majority of the House of Commons.

Bill read 1ª.

House adjourned at half-past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 1, 1859.

Minutes.] New Members Sworn.—For Wilts (Southern Division), Right hon. Sidney Herbert; for Ashton under Lyne, Right hon. Thomas Milner Gibson; for Norwich, Viscount Bury.

Public Bills.—1° Locomotive; Weights and Measures.

2° Newspapers, &c.; Jury Trial (Scotland) Act Amendment.

VOLUNTEER CORPS.

QUESTION.

Sir JOHN SHELLEY said, he rose to ask the Secretary of State for War, Whether Her Majesty's Government adopt the views of the late Administration with respect to Volunteer Corps, or whether they will be disposed to supply a sufficient quantity of arms for practice.

Mr. SIDNEY HERBERT: In answer to the question of my hon. Friend I have to state that the Government have taken into consideration the offers made by the various bodies of gentlemen who are willing to serve as volunteers; and I am glad to have this opportunity of expressing the sense which we entertain of the public spirit which has been evinced in promoting the formation of these corps. We propose to accept the services of the rifle corps upon certain conditions. The first of these is that a safe and sufficient range shall exist for their practice. In order to insure this —to secure that object — it is proposed that a military officer shall be sent down to each locality to examine the ground selected, and to report upon the safety of the arrangements which any of these bodies may adopt. I think it will be obvious that without such a precaution any corps that may be formed would become useless for want of practice, or that, if it did practice, it would become dangerous to the public. In the second place, we ask that there shall be a safe place for the custody of arms. Thirdly, that the rules for the government of the corps shall receive the sanction of the Secretary of State for War; and, fourthly, that there shall be a periodical inspection of the corps by a military officer. Supposing these four conditions to be fulfilled we propose to issue to each corps a certain proportion of arms sufficient for exercise, drill, and practice. It is not necessary for that purpose that every man in a corps should be armed; and we propose to issue Enfield rifles to the number of 25 per cent of the effective members of the corps. That arrangement would supply with arms one section of every company. Then, again, with a view to facilitate the drilling and practice of these bodies, we propose that a payment of one shilling a day with a billet should be made from the funds of each corps to a sergeant of the disembodied militia or other competent person who might have to teach them their drill. In order further to secure the efficiency of the system it is proposed that twenty-five adjutants and 100 sergeants of the disembodied militia should receive instruction in musketry at Hythe, and that the latter should afterwards be available for the instruction of the volunteer companies. Lastly, arrangements have been made to enable a limited number of officers and men of the volunteer corps to repair to Hythe at their own expense, and there receive a short course of instruction, from the 30th July to the 15th August, it being necessary that this course should not be prolonged, lest it might interfere with the practice of the regular army. Another observation which I wish to make is, that the Government, taking the same course as their predecessors, are most anxious to encourage and to give a preference to the formation of artillery corps rather than of rifle corps in the maritime counties, where our chief commercial ports, our great arsenals and the batteries which defend them are situated. The men in the former case could receive their instruction in arsenals where there is a sufficient range for practice; and I think it is obvious that the public service would be more benefited by artillery corps than by rifle companies. The artillery corps would supply the place of the regular artillery employed during a war in the field, and they would thus materially add to the available force of the country, almost as much as if they were regularly engaged in its service. They possess other advantages over rifle corps. They have a precedence in rank, and they have no arms and ammunition to buy and no range to obtain. All these circumstances must tend to facilitate the formation of artillery corps. With respect to another question which has been raised, I have to observe that as far as the organization of Volunteer Corps is at present concerned Her Majesty's Government have no intention to do otherwise than to accept the offer of independent companies. We must recollect that a false step made at first in the calculation of numbers—one that is fallacious—will be very difficult to retrieve. At present, therefore, the offers of companies only will be accepted. When we see how many companies there are, their force, and how they are composed, it will be for us to consider how far a higher and more efficient organization may be carried out. I hope to be able, in the course of a few days, to issue a circular which will embody all these particulars, as well as some other details with which I need not now trouble the House, and which will enable Lords-Lieutenant of counties and other properly qualified persons to form these corps, without entering into any lengthened correspondence with the War Office. With respect to the arrangement for supplying arms for only 25 per cent of the men, it is to be understood, that in the case of a war, when they would have to be called out, they would all be armed.

Lord ELCHO said, he wished to know whether, in addition to the 25 per cent of the men who were to receive arms from the Government, the others would be allowed to supply themselves with arms at their own expense?

Mr. SIDNEY HERBERT said, that there was nothing to prevent any number of the men from supplying themselves with rifles provided the gauge was the same as that of the arms supplied by the Government, so that the same ammunition could be used in both cases.

Lord GALWAY asked what was the kind of arm that was to be furnished by the Government,

Mr. SIDNEY HERBERT said, it was to be of the pattern of 1853. He did not propose to make any change in the rule laid down by the late Government.

Mr. ESMONDE wished to know what course the right hon. Gentleman meant to pursue with regard to the formation of rifle corps in Ireland?

Mr. SIDNEY HERBERT said, that the Government had only taken into consideration those cases in which offers had been made to them to raise volunteer corps. They had received no such offer from Ireland, and if any were to come it should be a subject of special consideration, inasmuch as the law in that case was not the same in Ireland as in this country.

THE FOREIGN POLICY OF THE LATE GOVERNMENT.—NOTICE.

Lord ELCHO said, he believed it would be more in accordance with constitutional practice that he should bring forward, on a Motion for a Committee of Supply, the Resolutions of which he had yesterday given notice, with respect to the policy pursued by the late Government upon the Italian Question, than that he should introduce them on a Tuesday. He wished, therefore, to state that he would bring forward his Motion on Monday next, or on the first supply day that might follow.

MR. SPEAKER said, that the noble Lord having fixed a day for his Motion could not bring it forward at an earlier period.

LORD ELCHO said, he would then give notice that he would bring it forward on the first Supply night after Tuesday.

SEWAGE OF THE METROPOLIS.

QUESTION.

MR. JOHN LOCKE said, he wished to ask the First Commissioner of Works whether the Metropolitan Board have commenced the construction of Low Level Sewers for the purpose of preventing the sewage of the metropolis from passing into the river Thames; or whether, on the contrary, they are merely proceeding with High Level Sewers, in order to divert the water from brooks and rivulets, and also the rain water, from passing into the river through the present sewers.

MR. FITZROY said, the Department with which he was connected had no control whatever over the Metropolitan Board of Works as to the drainage of the metropolis. The whole jurisdiction, superintendence, and construction of those works was vested exclusively in the Board by Act of Parliament. But not to be wanting in courtesy to the hon. and learned Gentleman (Mr. Locke), he had put himself in communication with the Chairman of the Board of Works on this subject, and had received from him the following statement, which he would read to the House:—

"The Board have commenced the intercepting scheme by the construction of the high level sewers, in order to divert the flood waters from the lower districts and to facilitate the construction of the low level sewers. They are deeply impressed with the necessity for affording the earliest possible relief to those districts, as well as of diverting the whole of the sewage from the river without any avoidable delay, and have, therefore, directed their attention to providing the engines and machinery for raising the sewage, without which it would be impossible for the low level sewers to perform their office. They have further ordered the immediate preparation of the contract drawings for the southern outfall sewer, into which the contents of the low level sewer will have to be pumped, and have instructed their engineer to lay before them some suggestions for affording immediate relief to the localities referred to pending the execution of the permanent works."

OUDE.—QUESTION.

MR. KINNAIRD said, he would beg leave to ask the Secretary of State for India whether the Proclamation confiscating the soil of Oude to the Crown is being acted upon, so that, while the rights of the talookdars have been restored in many instances, those of the peasants are considered to be forfeited?

SIR CHARLES WOOD said, there was no foundation for the fears of his hon. Friend, and he would shortly state what had taken place. During the first ten months after the re-occupation of Lucknow, in March, 1858, a great many talookdars gave in their allegiance, and they were, for the most part, admitted to a settlement (on the basis of the summary settlement made in 1856–57), their tenure being made conditional on their rendering active assistance to the British Government in all matters of police. From this there was some reaction; but, after the issuing of the Royal Proclamation a new impetus was given to the returning allegiance of the landlords, and many fresh settlements were made. Some of the great landholders, however, held out, and others were suspected of having participated in the murder of Europeans. Their estates were confiscated, and new settlements either made with friendly chiefs or with the under proprietors; but no estate had been confiscated in Oude, the proprietor of which had tendered his allegiance under the terms of the Proclamation. The number of actual confiscations was very small. The settlement was made principally with the talookdars on the principle of a general restoration of the state of things which was found on the first annexation of the province; but regard was paid to the claims of the village proprietors (who, during the rebellion, had in many cases voluntarily acknowledged the authority of the talookdars), and a certain quota of the net profits of each estate was fixed as their share, while the talookdar was left without the power of enhancing his demands upon them beyond the sum fixed in the village rent-roll. By these arrangements it would appear that the rights of all parties are protected, the object having been, while reverting to the old talookdaree system, to afford, at the same time, increased protection to the village proprietors. The old talookdar system had been restored, but the interests of the under tenants, or proprietors, had been cared for by fixing their proportion of the rent, beyond which the talookdars could claim nothing from them.

MASTERS OF THE ROYAL NAVY.

QUESTION.

Mr. H. BERKELEY said, he wished to ask the late First Lord of the Admiralty whether the petition of the Masters of the Royal Navy (which was presented to the Admiralty in November last, praying that their position and prospects might be improved), has been considered; and, if so, what conclusion has been arrived at?

Sir JOHN PAKINGTON said, he had received a memorial from the Masters of the Royal Navy, such as the hon. Gentleman had described. It was only one of several memorials which he had received from different ranks of officers—namely, Medical Officers, Chaplains, Masters, and Paymasters. He was enabled to deal with the case of the Medical Officers and Chaplains, and he had hoped to be able to deal with those of the Masters and Paymasters also. He intended to have proposed some concessions to meet the wishes of those officers, which he thought reasonable and well-founded, but before he could complete the arrangements the Government of which he was a member came to an end. He had therefore left the matter, with all the papers relating to it, in the hands of his successors.

THE ENGLISH MILITARY COMMISSIONERS IN LOMBARDY.—QUESTION.

Mr. T. DUNCOMBE said, he rose to ask the Secretary of State for Foreign Affairs why a Return, ordered on the 9th of June, relative to the Military Commissioner sent to the head-quarters of the French, Sardinian, and Austrian armies, has not been presented; and whether there is any objection to lay upon the table the Reports made by those officers up to the present time?

Lord JOHN RUSSELL said, the Return to which the hon. Member alluded was presented yesterday—the first day on which it could be presented—by his noble Friend the First Lord of the Treasury. With regard to the latter part of the hon. Member's question, "whether there was any objection to lay upon the table the Reports made by those officers up to the present time," he (Lord John Russell) must say there was very great objection to such a course. It was obvious that, if those Reports were presented, the different Governments to which those Commissioners were accredited would very justly object to the publication of statements which might have a serious effect on the operations of their respective armies. He considered that it was a very friendly act on the part of those Governments to allow those Commissioners to be sent among them. He could not, therefore, for the reason he had assigned, agree to the presentation of the Reports in question.

MANNING THE NAVY.—QUESTION.

Sir JOHN PAKINGTON said, he wished to ask the Secretary of the Admiralty Whether it is the intention of Her Majesty's Government to bring in any Bill during the present Session with the view of carrying into effect the recommendations of the Royal Commission on Manning the Navy.

Lord CLARENCE PAGET said, as this was a very important question involving a large outlay of public money, and as the members of the Board of Admiralty had only taken their seats the day preceding, he thought it would not be unreasonable if he asked to be permitted to defer answering the question put to him until Monday. The Report of the Royal Commission on Manning the Navy was issued in February last, and his right hon. Friend (Sir John Pakington), so far as could be made out at the Admiralty, did not come to any decision on that Report until the month of June. He (Lord Clarence Paget) therefore thought it not unreasonable to ask to be allowed to postpone answering the question of his right hon. Friend until Monday.

PUBLIC BUSINESS.—RESOLUTION.

Viscount PALMERSTON said, he begged leave to move, that upon Thursday, the 14th day of this instant July, and upon every succeeding Thursday during the present Session, Government Orders of the Day shall have precedence of Notices of Motion. It was well understood how essential such an arrangement as that was to the despatch of public business, and he should hope no objection would be made to it, seeing he believed the Motion he had just made was proposed at a later period than usual in previous Sessions. At the same time, perhaps the House would allow him to make a suggestion with the view to facilitating the despatch of business. The House met yesterday at the usual hour, and, there being very little private business before the House, the Speaker was kept in the chair, and hon. Members were kept waiting for a considerable time, until the clock pointed to the half hour at which public business commenced. He would suggest to the right hon. Gentleman and to the House whether it would not be convenient, on days on which there should not be a sufficient amount of private business to occupy the House until half-past four, that it should be understood that the public business would commence at a quarter past four. An unnecessary loss of time would be then prevented.

Resolved—That upon Thursday the 14th day of this instant July, and upon every succeeding Thursday during the present Session, Government Orders of the day shall have precedence of Notices of Motions.

On the Motion that the House at its rising do adjourn till Monday.

BREACH OF PRIVILEGE.

MR. OWEN STANLEY said, he rose, pursuant to notice, to call the attention of the House to the statement made by Mr. Dennis at a public meeting of the electors of Northampton, that an offer had been made to Mr. Gilpin by the agents of the late Government to influence his vote in Parliament; and to call upon the Secretary of the Poor Law Board to communicate the letters referred to by him, with the name of the person from whom they originated, to the House. He was happy to state that, since he last brought the question of which he had given notice for that day before the House, it would not be necessary to take the disagreeable course of summoning the innocent printer and publisher of *The Times* newspaper to the bar of the House. He might state that it was never his wish to interfere with the press, to which the whole community were under deep obligation for the accurate reports which they furnished of the proceedings at public meetings. In any observations he might make on this question he assured the hon. Gentleman whose name he should have occasion to mention it was not his wish to say a single word calculated to give him the least offence. The House was aware, no doubt, that the question which he intended to put to the Secretary to the Poor Law Board (Mr. Gilpin) was founded on a statement which appeared in the public press, and which was made by Mr. Dennis at a public meeting at Northampton. That statement was to the effect that a pecuniary reward of the most direct and gross nature had been offered to the hon. Member for Northampton (Mr. Gilpin) to induce him to vote in a particular way on a division of that House. Since the subject was last before the House he had taken the opportunity of writing to Mr. Dennis, stating that in anticipation of his again referring to it in the House it would be advisable that he (Mr. Dennis) should inform him whether the statement imputed to him in the press was correct. That Gentleman had accordingly furnished him with a corrected statement of his speech. The House would remember that the statement in question was reported to have been made at a meeting of Liberal electors at Northampton which had been convened by Mr. Dennis in anticipation of an expected vacancy in the representation. Mr. Dennis came up to London and had interviews with the two hon. Members for Northampton. In the first instance he saw the late Member for that borough, now Lord Lyveden, and, without troubling the House with what was no doubt amusing, he (Mr. Stanley) might say that a statement was made by that noble Lord to Mr. Dennis as to the reason why he had been removed from that House to the House of Lords. Mr. Dennis had also an interview with the other hon. Member for Northampton (Mr. Gilpin), on the subject of the election about to take place there. The part of the statement subsequently made by Mr. Dennis at the meeting at Northampton, to which he (Mr. Stanley) wished to call attention, was as follows:—

"But he thought it perfectly right to state, as an illustration of the agencies that had been at work during the late struggle, that Mr. Gilpin read two letters which he had received from the agents of the Tory party, in which a direct attempt was made to corrupt Mr. Gilpin in the discharge of his duty as a Member of Parliament, and to influence him in giving his vote upon the late division, by offering him a consideration of the grossest and most direct character. He stated that at once, for the information of all people concerned, and for the consideration of the electors in case they thought fit to take up the matter. With what success the attempt had been made he need not there state, but he thought he was perfectly justified as an elector in exposing a transaction of so flagrant a character, and to tell the gentlemen who at their own hustings held up halfcrowns to show the poorer electors of the borough what they thought of them, that if this was done by the Government of the country it could not be wondered at that its followers should do the same."

With regard to that statement he had received a letter from Mr. Dennis which he would read to the House :—

"Northampton, June 24, 1859.

"Sir, I beg to acknowledge your letter of yesterday's date. As regards the newspaper report of my statement referred to by you, I have to correct it in two not very material particulars. The word 'pecuniary' attributed to me, if used, was inapt, as the letters to which I alluded held out the temptation of an appointment, and not of absolute money. The letters were communicated to, and not 'read by' me. The writer's name was not communicated. I do not understand Mr. Gilpin as disputing the accuracy of the statement, but it must rest with him to produce or withhold the documents, as it obviously does not lie in my power personally to pursue the matter further.

"I am, Sir, yours very obediently,

"WILLIAM DENNIS."

That letter was accompanied by the following extract from an account of the affair appeared in the *Northampton Mercury* of the 25th of June :—

"There is nothing so simple as truth. We believe, therefore, we shall be doing our valued Member, Mr. Gilpin, a good service, by stating plainly a plain tale as it has come to our knowledge. Some short time ago, a member of Mr. Gilpin's family formed a casual watering-place acquaintance with a lady of some position, whose connections lay among the Members of the late Ministry. Shortly before the recent division on the want of confidence vote, which proved fatal to the Derby-Disraeli Cabinet, Mr. Gilpin, to his surprise, received a letter from this lady, urging various reasons why, as an 'Independent Liberal,' he should vote in favour of the Ministry, repeating the old story of a Radical Reform Bill looming in the future, and concluding by a statement that the Ministry were prepared to reward politicians who proved awake to a sense of their true interests. This letter having failed to produce the desired result, Mr. Gilpin was favoured with another communication from the same quarter, stating distinctly that in case of his voting in support of the Ministry certain offices, among others that which he now holds under the present Government, or a colonial governorship, would be placed at his disposal. It would be almost an insult to our representative to assert more about his reply than that it was what any man of honour and integrity would have made to such a proposal. The contents of the correspondence have been communicated to us, and we can confidently declare that their publication, if advisable, would only tend to increase the estimation in which Mr. Gilpin's character is deservedly held. This division came on, Mr. Gilpin voted in the majority. The Derby Government was thrown out, and Lord Palmerston assumed the task of constructing a Ministry. After the post of Secretary to the Poor Law Board had been offered to Mr. Gilpin, and accepted by him—after, and not before—the letters in question were shown by him to his colleagues in the Ministry, and to those Gentlemen with whom he has acted in Parliament. By their advice, it was resolved, agreeably to Mr. Gilpin's own opinion, that no further notice should be taken of the matter. The grounds on which this Resolution was adopted were, we believe, the following :—First, that there was no good to be gained in stirring up ill blood now that the contest was over. Secondly, that any attack on a lady was in itself invidious ; and, lastly, that there was a want of legal or indeed absolute moral proof that the lady in question had written with distinct authority from any of the late Government, or might not have exceeded her instructions. Under these circumstances it was considered only just to give the parties inculpated the benefit of the doubt. The decision was a wise one, and with Mr. Gilpin's wish the matter would then have dropped. Unfortunately, without Mr. Gilpin's knowledge or sanction, a somewhat garbled version of this story worked its way round into one of the London papers. Mr. Dennis communicated with Mr. Gilpin on the subject of this Report, and received the facts as we have told them. The matter had already attracted attention in the town, and at a meeting of the Liberal party, summoned on Monday last, for another object, Mr. Dennis very properly, in our opinion, made a statement to this effect."

Now, he should have been very happy if the advice tendered to the hon. Gentleman had been followed to the letter, and if he had kept the letter entirely to himself. But the hon. Member had brought it upon himself if other Members thought that the affair ought to be properly noticed. It seemed that when an election agent came up to prepare for a new election for Northampton he was shown these letters. He was told the whole story, and when he returned he made political capital of it at Northampton. He said that he mentioned it for the purpose of exposure, and in order that the matter might be followed up. In his (Mr. O. Stanley's) simplicity, he certainly thought it was the wish of the hon. Member that a public inquiry should take place, and that the party offending—he did not then know it was a lady—should be brought to justice. The House must remember the particular time at which this charge was made, and the nature of the situation in which the House at present stood. A dissolution had taken place, and a considerable number of seats had been gained by the late Government. When they came to count the relative numbers on the Motion of want of confidence it was well known that five or six votes taken from one side and carried to the other would have the effect either of leaving the late Administration in power or replacing them by their opponents. Rumours had been rife, and he himself knew, that every means were taken by the late Government to secure, if possible, a majority in their avour. He might, indeed, go further and say that some means were taken which were not greatly to their credit. [*Cries of* "Name."] He would not do so at present, but in all probability before the Session was over these things would come out. The House had seen every means taken to influence Members. Some were influenced by Galway contracts, others by the prospect of obtaining what they supposed to be the rights of the Roman Catholics. Had they forgotten the public meeting in London on the subject? ["Question!"] It was the question. At a meeting of the Roman Catholic nobility and gentry in London it was stated that then was the time to press Lord Derby, and that if he did not yield them what they thought right they would find a means of making him. Considering all they had heard and that the statement was brought forward in a public way, it was for the dignity and credit of the House that any replies to it should be made in that House rather than at Northampton at an election, and in the manner in which it had been done. It was only the other day that a book was handed round containing the rules of the House, one of which—the 419th, dated May 2nd, 1695—set forth that any offer of money or advantage to a Member of Parliament was a high crime and misdemeanor, and tended to subvert the British constitution. That Resolution was passed at a time when direct pecuniary bribery was practised, which later, in the time of Walpole, had got to such an extent that it was said, "Every man had his price." He hoped that such times would never return, and that the House, in framing rules to put a stop to bribery and corruption in constituencies, would themselves come with clean hands to the work. With regard to this transaction, although the hon. Member for Northampton told them he would not give up the name of the writer of the letters, yet he put it to him whether, after taking the part he had done, and after raising so serious a charge, it was not his duty to follow it up, and give the name, so as to allow the House to judge whether the charge were true or false. He did not require the name of the lady. It was a poor flimsy pretext, however, to keep back the name because it was that of a lady. The husband and those who had incited her to write the letters were the real culprits. He believed the hon. Member for Northampton would tell the House that he had no reason to believe that the offer made to him was a hoax; and if the answer of the hon. Gentleman were read, there would be no doubt the hon. Gentleman thought it a *bonâ fide* offer. He had no power to compel the hon. Member to give up the name. It must rest with him, as a sincere Reformer, either to prosecute this matter further, or to take the responsibility of having gone so far, and now refusing to proceed. Feeling, therefore, that he was acting rightly, he would now call upon the Secretary of the Poor-law Board to communicate the letters referred to by him, with the name of the person from whom they originated, to the House.

MR. GILPIN said, that when a short time ago the hon. Gentleman first brought before the House the subject to which he had again called their attention, he then without notice called upon him (Mr. Gilpin) to defend statements which he had not made, and to explain a speech which he had not delivered. That was, he considered, rather hard justice, especially from an hon. Gentleman sitting upon the same side of the House as himself; but upon the spur of the moment he made a statement which he could not do better than repeat—that letters were sent to him containing suggestions which, had they been acted upon, would have biassed his political course in Parliament; that he could not trace them, and did not trace them, to the agents of the Conservative party, and therefore he was not going to take any further steps in the matter. He did not know whether he stated then what had since become sufficiently notorious, that the author of those letters was a lady, but he presumed his hon. Friend was perfectly well aware that it was not the first time that ladies connected with political parties had exerted themselves in canvassing Members or constituencies. He confessed the thing appeared so utterly ridiculous that he had to look more than once at the notice of Motion, and to speak more than once to the hon. Member for Beaumaris (Mr. O. Stanley) before he could be quite sure that a Gentleman, as he undoubtedly was, would come down to the House of Commons and ask a fellow Member to give up the name of a lady. He was surprized that a Gentleman should think it right to make such a request, but he was quite sure it was a request which no Gentleman could comply with. [Mr. O. STANLEY: The language of the hon. Member is unparliamentary.] He hoped he had said what he had intended to say. He meant to say that he wondered how a Gentleman should ask a question which no Gentleman could answer, but he had not meant to say anything unparliamentary or personally offensive. The hon. Gentleman has, however, put a notice on the paper, and it was his (Mr. Gilpin's) duty to reply to it. He had stated before, that inasmuch as that correspondence was not, as far as he knew, to be traced to the agents of any political party, he was not prepared to take any further steps in the matter. When the hon. Member had shown him on the previous day the terms of his Motion, they contained, he believed, no allusion to any demand for the name of the lady, and he was then prepared, if the House desired it, though he would venture to suggest that their time might be much better occupied) to place attested copies of the letters and his replies upon the table, but now that the hon. Gentleman had coupled with his question a demand for the name of his correspondent, he must tell that hon. Gentleman respectfully, but emphatically, that he declined to give it.

MR. PALK said, he did not rise for the purpose of prolonging the discussion; but the hon. Gentleman who first addressed them had made a charge against Gentlemen sitting on that side of the House which reflected not only on the members of the late Government, but on all those who had supported them during the time they were in office. The hon. Gentleman opposite (Mr. O. Stanley), if he had not misunderstood his language, had charged them with endeavouring to obtain votes by means which were not justifiable; and which, therefore, he supposed were discreditable to themselves and to their party. He, therefore, called on that hon. Gentleman, as one who was not in the habit of making charges which he was not prepared to prove, to name either on the present or on some future occasion when it might better suit the convenience of the House those particular members of the Government and those particular acts which he had called in question.

MR. CLAY said, he considered that the question was one that ought not to have been brought before the House; it ought not to have been treated seriously; indeed, it was impossible to do so, for neither any power existing in that House or elsewhere, nor probably any tortures, would wring from his hon. Friend the name of his fair and somewhat indiscreet correspondent. The matter ought not to be treated seriously, because there was not one tittle of evidence, or any shadow of presumption, so far as he had been able to see, to connect any gentleman who had the power of carrying out the offer which the letter contained with the letter in which that offer was made. Nor had he understood the slightest charge to that effect to be made by the hon. Gentleman. Neither his hon. Friend nor any other person in his senses could have considered it possible that right hon. Gentlemen on the other side, when sitting on the Treasury benches, would have been guilty of such dishonest and exceedingly rash conduct; and even had they been inclined to do so, he doubted whether they would have pitched on his hon. Friend as the object of their blandishments. In common with many other hon. Members he had, from the first entrance into that House of his hon. Friend, admired his ability and straightforward conduct. They might have been somewhat awed by a little of the stern and Cato-like virtue which was apparent in his demeanour; and they had been certainly glad to find that he was the object of, and, perhaps, accessible to, other admiration than that of the House of which he was a Member. Having said this, and added very respectfully his advice, that in case any similar letter reached his hon. Friend the best course which he could adopt would be immediately to put it on the fire, he hoped, with deference to the House, that he had said all that it was necessary to say on this exceedingly trumpery matter.

MR. O. STANLEY said, that referring to the statement that the correspondence had been shown to him, thought it right to say that the lady had written as the amanuensis of her husband.

MR. BRADY said, that although on the occasion when this subject was last laid before the House, he had expressed himself as not being fully satisfied, having since been allowed to read the correspondence which had passed between the hon. Member and that celebrated lady, he must say that there was not a word in his reply which did not reflect credit on him as a man of honour.

THE INDIAN LOAN.—QUESTION.

MR. CRAWFORD said, he rose to put a question to the late Secretary for India relative to the recent Indian loan. It would be in the recollection of the House that during the last Session an Act was passed by which the late Government obtained power to raise a loan of £7,000,000 for the purposes of India. Advertisements were issued calling for tenders, and Thursday, the 21st of April last, at 12 o'clock, was fixed for their reception. Upon that day many persons appeared, and were informed that a *minimum* price of ninety-five had been fixed, below which no tender would be received. The tenders were then opened, and out of 443, representing an aggregate of nearly £7,000,000, 310 for a total of more than £5,077,000 were accepted. Immediately after that transaction, the scrip bore a small nominal premium in the market, but in the course of the afternoon, the fact of the Austrian ultimatum having been sent to Turin was made known, and a kind of panic ensued. The script for this particular loan on the following Saturday fell to 1½ discount, and in the course of a week went to 4 or 5 discount, being, in fact, unsaleable. Under these circumstances it was natural that the public should wish to know whether the Government, at the time the tenders were accepted, were in possession of that intelligence, which was certain to affect the prices of all stock. In putting this question he did not wish to imply more than the words of his notice conveyed. He did not intend to suggest that there had been any unfairness on the part of the Government, but merely wished to elicit the facts which he hoped would be satisfactory to the public mind. It appeared from the papers recently printed, that intelligence of the Austrian ultimatum arrived in London on the evening of Wednesday, April 20, from Vienna, and the fact was communicated on the following morning by his Excellency the French Ambassador to the Earl of Malmesbury. It was simply with a view to ascertain the real facts that he now asked the late Secretary of State for India whether he was aware, when he proceeded, on Thursday, the 21st day of April last, to receive and adjudicate upon the tenders invited to be sent in for the Indian Loan, of the fact that the Austrian ultimatum to Sardinia had been made known to Her Majesty's Government on the previous evening by a telegram from Vienna, and also by a written communication from his excellency the French Ambassador to the Secretary of State for Foreign Affairs.

LORD STANLEY said, nothing could be fairer than the manner in which the question had been put by the hon. Member for London. It was a question which he could have answered on the previous evening, when notice of it was given, but he thought that probably the hon. Member would wish to accompany it by some remarks. It was not the fact that either he or any other person connected with the negotiations for the loan or with the Indian Department was cognizant of the news to which the hon. Member referred at the time when the tenders for the loan were received and adjudicated on. He did not know at what hour of the night or of the morning the intelligence in question was received by his noble Friend, the Earl of Malmesbury; but the intelligence in question was not received by him (Lord Stanley) up to four o'clock in the afternoon of the 21st of April, and the tenders for the loan were finally adjudicated upon between twelve and one o'clock. A considerable time elapsed between the period when the then Secretary of State for Foreign Affairs received this intelligence and the time when it became known to the Indian Department, but the fact was that immediately on receiving it his noble Friend proceeded, as was natural, to summon a Cabinet Council, in order that deliberations might take place upon it; and it so happened that the Earl of Derby was in attendance on the Queen at Windsor, so that the Cabinet Council could not be held up to four o'clock in the afternoon. The first intimation he (Lord Stanley) received of the intelligence was at four o'clock in the afternoon, which was between three and four hours after the time when the transaction connected with the loan took place.

MR. CRAWFORD said, that the noble Lord's explanation would be considered perfectly satisfactory.

ROMAN CATHOLIC SEAMEN.

QUESTION.

MR. HENNESSEY said, he would beg leave to ask the late First Lord of the Admiralty what steps the late Board of Admiralty had taken with reference to the complaints which had been submitted to the Board respecting the treatment of Roman Catholic Sailors in the Royal Navy?

SIR JOHN PAKINGTON said, he had no objection to answer the question, and he hoped what he was about to state would not bring him under the animadversion of the hon. Member for Beaumaris (Mr. O.

Stanley.) The facts were briefly these:—A few weeks ago a memorial was sent to the Earl of Derby complaining on the part of the Roman Catholic body that Roman Catholic sailors were subjected to certain disadvantages in respect to their religious instruction. The Earl of Derby sent the memorial to him, requesting his opinion on it, whereupon he wrote a letter to the Earl of Derby stating the views he entertained with respect to the different matters of complaint contained in the memorial, which were drawn up under a series of headings, to the number, he believed, of about eleven. The substance of his letter was this:—he was entirely of opinion that every fair and reasonable claim on the part of the Roman Catholic sailors with respect to the exercise of their religion ought to be conceded; and more especially that that should be removed which formed one of the main points of their complaint—namely, that Roman Catholic sailors were not allowed the same advantage with respect to their worship as were conceded to Roman Catholic soldiers; and he stated distinctly in his letter to the Earl of Derby that, so far as the different nature of the two services permitted, Roman Catholic soldiers and Roman Catholic sailors should be placed on precisely the same footing. He also proceeded to state that he thought that some of the requests contained in the memorial, which related to matters in respect to which there was a great difference between the two services, it would be impossible to concede, or could only be conceded under particular circumstances. Having sent this answer to the Earl of Derby, he caused a copy of the memorial and his letter to be circulated among his colleagues at the Admiralty Board, who considered them. As a change of Government was impending, it was impossible for him to take any further steps in the matter; but it was his intention, if he had continued in office, to direct instructions to be issued to concede such portions of the memorial as, he thought, in fairness and justice ought to be conceded. That was the position in which the question now stood, and he had left the papers he had referred to for the consideration of his successor at the Admiralty to deal with in such manner as he should think fit.

MR. NEWDEGATE said, he viewed this question as an additional evidence of combined action on the part of certain Roman Catholic authorities to obtain concessions on various subjects. The notice paper itself would inform the House that such was the case. The hon. Member for Dungarvan (Mr. Maguire) was about to ask Her Majesty's Government whether they intended to break in upon the Roman Catholic Oath, and the obvious consequence of such a step would be that they would see a considerable alteration in the settlement of 1829. The hon. Member for Dungarvan had also a notice for an early day that he was about to demand the establishment of a Roman Catholic University in Ireland. [Mr. BOWYER: A charter for an existing University.] He did not suppose the hon. Member would demand a new establishment of that kind if there were one already in existence. He knew that the House was inclined to devote its attention to foreign affairs, but this was a question at once both foreign and domestic. Since a meeting that was held on the 8th ult. there had been an obvious movement on the part of all those who obeyed the direction of Cardinal Wiseman. It was proposed, not only to move for an increase of Roman Catholic priests in the naval service, which, it appeared, had been under the consideration of the late Government, but they were going even farther than that, and to demand that Roman Catholic priests appointed by Cardinal Wiseman should have official access to all prisoners in gaols and the inmates of poorhouses. But what was the case at present? Every Roman Catholic prisoner could demand the attendance of a Roman Catholic chaplain in any gaol or workhouse, as the law now stood. The object of what was now sought for was to give an official right to Roman Catholic priests appointed by Roman Catholic authorities to enter gaols and poor-houses and inquire for themselves who chose to receive their ministrations. ["No, no!"] Well, then, the object had been abandoned, for it had been entertained. [An hon. MEMBER: There never was any such object.] He was perfectly prepared for these denials, but he wished to call the attention of the House to the fact that Cardinal Wiseman, a foreign authority, lately boasted of the increase of the establishments under his command — by monasteries in London, &c., by increase of those missions which, as vicar apostolic, he had established for the Jesuit order. He drew the serious attention of the Government to these things, for it was the aim of Cardinal Wiseman, and those who acted with him, that no Prime Minister, however powerful or however jaunty, should be able to resist the demands made upon him. He wished to see the freedom of his Roman Catholic fellow-subjects preserved as well as those of Protestants; but let the House take care, for it would be assailed with Motions the result of which was intended to be the establishment of a power which in Austria had been proved incompatible with all freedom, which in Naples was a fruitful source of oppression, and which, he feared, was likely to cripple the action of France in seeking the liberation of Italy—a power to which, he trusted, England, while regarding the freedom of the Roman Catholic subjects of the Crown, would never submit.

Mr. **MAGUIRE** said, he must request the indulgence of the House while he explained away the bugbear which possessed the lively imagination of the hon. Member for Warwickshire. No such demand as the hon. Member described had been made at the meeting referred to, or at any other. One simple demand was made and no other; and it was made by some of the highest nobles in England, as well as by Members of that House, and was now under the consideration of the Government. That demand was to the effect that the Catholic clergy should have free access to prisoners registered in the books of the establishment as Roman Catholics and to paupers in workhouses similarly registered, whether adults or infants. He believed, then, that the hon. Member might dismiss his great alarm, for those who had the administration of gaols and workhouses in England were not emissaries of the Pope of Rome or agents of Cardinal Wiseman, but as true supporters of the Established Church as the hon. Member himself, and consequently there was no danger of the Roman Catholics being allowed to tamper with Protestant paupers or Protestant prisoners. If the Government granted that fair demand which had been made, the Roman Catholic Members would give them every legitimate support, for they asked not for places for themselves, but only for justice to those they represented. He concurred with the opinion expressed by a noble Lord in another place that it was not degrading or dishonourable to make or to grant such demands. With regard to the grant of a charter to a Catholic university, he had received a letter from a Protestant Member of that House, who said, "Nothing is fairer than your demand. What do you ask for? Nothing but that a Catholic college shall have the power of granting degrees to its own *alumni.*" When the proper time arrived he believed he should be able to satisfy hon. Gentlemen that the demands made by the Catholics were only such as every Member of that House might fairly concede to them.

GOVERNMENT CONTRACTS.

QUESTION.

Colonel **DUNNE** said, that upwards of four years ago a Committee was appointed, on his Motion, to inquire into the mode in which Government contracts were made, and in the course of their investigation it transpired that some extraordinary defalcations and irregularities had taken place in the Ordnance department at Weedon. A Commission was appointed to inquire into these circumstances, and he begged leave to ask whether that Commission had reported, and if so, when the report would be laid upon the table. The right hon. Secretary for War had given notice of his intention to move the appointment of a committee with reference to the War Department, and he (Colonel Dunne) wished to know whether that Committee would interfere with the functions of a Committee for which he intended to move, with reference to the reorganization of the civil branch of that department. The expenses of the civil department of the army had been enormously increased, but while larger armies had been recently moved by the French war department with the greatest ease, he believed that if we were to go to war our system was so imperfect that great disasters would occur. He concluded by asking the Secretary of State for War whether the report of the Commission appointed to inquire into the state of the Ordnance Department at Weedon, &c., has been received; and if received, when it will be laid upon the Table of the House.

Mr. **SIDNEY HERBERT** replied that the report of the Commission appointed to inquire into the transactions at Weedon had not yet been received, but so soon as it had been presented, and the Government had had time for its consideration, it would be laid upon the Table. He had no wish to clash with the hon. and gallant Member with regard to the Committee for which he intended to move, and he might therefore state that he merely proposed the reappointment of the Committee which sat at the end of last Session, whose labours he thought it desirable to recommence at as early a period as possible.

DIVORCE AND MATRIMONIAL COURT.

QUESTION.

MR. EDWIN JAMES said, he begged leave to ask the Attorney General if it is the intention of Her Majesty's Government to bring in any measure to remedy the delay which now exists in the trial of causes in the Matrimonial and Divorce Court, and to direct his attention to the mass of causes now existing in that Court. With reference to the latter point he might mention that there were now pending in that Court about 285 petitions, which had been filed for divorce or dissolution of marriage, and about 151 causes were standing for trial, many of which had been ready for trial some twelve or eighteen months. It was necessary to have the attendance of three Judges before a decree of divorce or dissolution of marriage could be pronounced, but the greatest difficulty was experienced in obtaining the attendance of the requisite number of Judges. But surely this was a needless guarantee, seeing that one Judge had the power to decide on a question of life or death; why not then upon the simple issue of adultery or no adultery. The country gave the Attorney General credit for being a sincere legal reformer; and, as he was the main author of the new law of divorce, there could be no doubt that he would be ready to remedy any defects which might be found to exist in the measure. The Judges were now about to proceed on their respective circuits, and the decision of the 151 cases to which he had referred—involving the happiness of families and the interests of children—must therefore be postponed for a considerable period. He wished to know whether the Attorney General would, during the present Session, endeavour to introduce some measure to remedy this delay.

THE ATTORNEY GENERAL replied that the first legal subject to which the attention of the Government had been directed was the state of the Court of Marriage and Divorce. It must, however, be recollected that the arrears which had accumulated in that Court ought not to be regarded as affording anything like an indication of what might be expected to be the ordinary state of business. Many of the suits now pending had originated in circumstances which occurred as long as three, seven or eight, or even ten years ago, and an amazing amount of business had been brought before the Court simply in consequence of no tribunal of a similar nature having previously existed. When the Bill was before the House he had been exceedingly desirous that the composition of the full Court should be enlarged, and, adopting a suggestion of his hon. and learned Friend the Member for Wallingford (Mr. Malins), he had been willing that the whole of the Judges should be competent to form the full Court. That proposition was, however, objected to, and the Judges eligible to form the Court were limited to the chief justices and to the senior puisne Judges of each Court. A measure would be submitted to Parliament without delay for the purpose of extending the number of persons eligible to form the full Court, with the view of at once reducing the arrears of causes. The Bill to which he referred would also deal with other matters, and would, he hoped, tend materially to improve the efficiency of the Court. He trusted that measure would receive the sanction of Parliament during the present Session.

Motion *agreed to.*

House at its rising to adjourn till *Monday* next.

BUSINESS OF THE HOUSE.

OBSERVATIONS.

MR. DISRAELI: Sir, it will be perhaps for the convenience of the House if the Government will inform us what is to be the course of business for next week.

VISCOUNT PALMERSTON: In answer to the question which I understand the right hon. Gentleman has just put during my temporary absence—a question as to the course of public business next week—I believe that all the Estimates not yet voted will be placed on the table on Monday. We propose to take the Army or Navy Estimates on Friday next—I am not quite sure which; but due notice shall be given on the subject.

NEWSPAPERS, &c., BILL.

SECOND READING.—DEBATE RESUMED.

Order read, for resuming adjourned Debate on Question [17th June], "That the Bill be now read a Second Time."

Question again proposed.

Debate *resumed.*

SIR GEORGE LEWIS said, as there was really no principle involved in the Bill, he was not prepared to oppose its passing through that stage. The measure proposed to deal with various fragments of

Acts of Parliament which regulated publications of various descriptions, including newspapers. Whilst assenting to the second reading, he, however, wished it to be understood that he reserved to himself full power and liberty of discussion of any of the particular Enactments recited in the Bill, and which it was proposed to repeal. There was one important Enactment which the measure proposed to repeal—namely, that regarding the registration of proprietors of newspapers. Now, that was a question which affected not principally the public or the Government, but private individuals who might be the subjects of libellous attacks in newspapers. If the protection which the present law provided, in respect to a legal remedy were withdrawn, it was possible that those individuals might be placed in a disadvantageous position. That, however, was a question upon which he did not wish at present to express any opinion, but rather to reserve himself for further discussion in Committee. There were two other Acts recited in the Bill, and which he thought must have found their way into it by mistake. One was an Act to indemnify certain persons in respect to penalties incurred under previous Enactments not now in force. The repeal of that Act could not have any advantageous result. The other Act was one repealing the punishment of banishment for the commission of the second offence of libel. Now, if that Act were repealed the effect would be to increase the severity of the criminal law in regard to libel, for which he was not aware that there was any necessity. As he had already stated, he would assent to the second reading, upon the understanding, however, that all those details should be fully considered in Committee.

Question put and *agreed to.*

Bill read 2°, and *committed* for *Wednesday* next.

CRIMINAL JUSTICE, MIDDLESEX (ASSISTANT JUDGE), BILL.

SECOND READING. DEBATE FURTHER ADJOURNED.

The Order of the Day for the adjourned debate on the Second Reading [17th June] of this Bill being read,

Sir GEORGE LEWIS said, as the provisions of the Bill involved some serious considerations he was desirous of further time being allowed for their examination. So far as he understood it, the object of the Bill was that the salary of the Assistant Judge should be increased from £1,200 to £1,500 a year, he being prohibited from private practice. Now that involved two considerations, one being that the addition to be made to the salary was to be paid out of the Consolidated Fund, and the other was that the Assistant Judge should be prohibited from private practice. He therefore would propose the postponement of the measure until Monday.

Debate *further adjourned* till *Monday* next.

WEIGHTS AND MEASURES.

LEAVE. FIRST READING.

Mr. JOHN LOCKE said, he rose to ask for leave to bring in a Bill to amend the Act of 5 & 6 *Wm.* IV., c. 63, relating to weights and measures. The measure was similar to that introduced last Session. It differed so far from the Bill of the hon. Member for Drogheda (Mr. M'Cann), that whereas the latter proposed that corn should be sold by weight, his (Mr. J. Locke's) proposed that it should be sold by measure. There was no doubt a great difference of opinion upon this subject. For example, those who were engaged in the corn trade in this part of the kingdom were in favour of the principle of measure; whereas in the north of England the people were strongly in favour of the principle of the Bill of the hon. Member for Drogheda. His Bill also proposed to punish persons using false weights and measures in the sale of goods in the public streets—an evil that was not reached by the existing law. It also contained a provision for the more frequent testing of weights and measures.

Leave given.

Bill to amend the Act of the fifth and sixth years of King William the Fourth, chapter sixty-three, relating to Weights aad Measures, *ordered* to be brought in by Mr. John Locke, Mr. Hutt, and Mr. Buxton.

Bill *presented;* and read 1°; to be read 2°, on *Wednesday* 20th July.

House adjourned at half-past Six o'clock.

HOUSE OF LORDS,

Monday, July 4, 1859.

Minutes.] *Took the Oath.*—Several Lords. The Right Hon. Robert Vernon Smith, having been created Baron Lyvedon—was (in the usual Manner) introduced ; The Right Hon. Sir Benjamin Hall, Baronet, having been created Baron Llanover— was (in the usual Manner) introduced.

Public Bills.—2ª Petty Sessional Divisions Vexatious Indictments.

COURT OF DIVORCE AND MATRIMONIAL CAUSES.

RETURNS MOVED FOR.

LORD BROUGHAM said, he rose to call their Lordships' attention to a very important subject—namely, the working of the Court of Divorce and Matrimonial Causes, which had come into operation at the beginning of last year. They now had the experience of last year, and part of the present year, of the working of that Court, and it was highly expedient that their Lordships should direct their attention to the result. If an error in legislation has been committed either by going in a wrong direction, or by going too far, or by not going far enough, in any measure of law improvement, it became them to relax their speed, or to quicken it, or to alter their course, and seek to move in the right direction, and no shame should ever be felt to acknowledge an error. He rejoiced, however, to say that the result of the experience in that Court was not that any error whatever had been committed in establishing the new jurisdiction, and all that was predicted by those who maintained the experiences, and even the necessity of that transfer of the power of divorce and of the power of judicial separation to a judicial tribunal had proved to be true, and the Court had been productive of great relief to many persons. He did not mean to say there were no defects in the working of the Court—quite the contrary—he was, indeed, about to call the attention of his noble and learned Friend on the woolsack, and of their Lordships, to certain defects which had an unfortunate tendency, though happily they might be easily remedied. The amount of business in the Court tended to show the necessity of an increase of the judicial force. The present arrear of business possibly might not be permanent—it might have arisen in a great degree from the non-existence until recently of a competent tribunal. Those who required the remedies which the Court now afforded had, before its establishment, no opportunities of obtaining them except by the cumbrous and ruinous treble process of a suit in the Ecclesiastical Courts, an action for damages at law, and afterwards a Bill passed through Parliament. In such circumstances many of these persons, who were entitled to the remedy, were utterly incapable of obtaining a divorce, and they all naturally availed themselves of the establishment of the new Court. That of course had the effect of producing a large amount of business, at first, brought before it. But it was impossible to say whether this accumulation was the sole cause of the excess of business. The Returns showed that during the fifteen months ending March last the number of petitions presented to the Court for dissolution of marriage was 288, and for judicial separation 105; making in round numbers 400 cases. The result was that 43 cases of divorce were disposed of, in which 37 divorces were granted; and 51 cases of judicial separation were disposed of. It was said that in Scotland, where time out of mind a divorce by judicial proceedings existed, the greatest number of cases of this nature in any one year was 20; so that in proportion to the population of the two countries the number of divorces granted in England ought to be 120 instead of 37, in order to verify the adverse predictions made when the Court was established. Inasmuch, however, as owing to a want of judicial force a number of cases remained undetermined, it did not follow from the fact that 37 divorces were granted during the fifteen months ending March last that this was the number of divorces that would otherwise have been granted within that period. There were 288 petitions for dissolution of marriage on the list; of these only a small number had been disposed of, and there was an arrear waiting for trial of upwards of 100 cases. Their Lordships were aware that the Court was composed of the Lord Chancellor, the three Chiefs of the three Common Law Courts, the three senior puisne Judges of those Courts, and the Judge-Ordinary of the Court, his excellent friend Sir Cresswell Cresswell. It had been found hardly possible for the Lord Chancellor or any of the Judges of the Common Law Courts to give their time and attention to the Divorce Court, and the consequence was that the Court had got greatly into arrear. No less than 35 petitions were presented to that Court during the last month, and it was therefore undeniable that a great increase in the judicial staff was desirable, either permanently or temporary. He, therefore, strongly recommended his noble and learned Friend on the woolsack to adopt some temporary remedy in order that the present arrear of business might be diminished. If it should be found that the arrear was not owing to accidental but to permanent causes, he hoped that no delay would take place in increasing permanently the judicial force of the Court. There was another subject to which he wished to allude — not related to the mode in which the business of the Court was conducted, arising from the rules of practice which had been laid down with the view of saving expense to the suitors. The rules required great conciseness in the documents presented to the Court. The petition was reduced to the standard of a declaration in an action at law. He could compare it to nothing but the common counts in a declaration. The facts to be set forth were only the marriage of the parties, the date of the marriage, the act of adultery, or other acts upon which the dissolution of marriage was prayed, and the time when the knowledge of the adulterous intercourse was first obtained. To spare expense and to avoid prolixity, particulars which he thought ought to be stated in the petition were not required—he thought a far wider scope ought to be given to it. For example, the petition ought to state whether there had been a separation between the husband and wife, under what circumstances it took place, whether it had continued, whether there had been more than one separation, and what interval elapsed between the separation, and the acquaintance with the paramour commencing,—and many other particulars which it was needless for him to go over, but which would readily occur to any one familiar with the judicial proceedings in their Lordships' House, and in divorce Bills while the remedy was administered here. In those proceedings there was a full inquiry into all the circumstances; but the cases in the Divorce Court stood in this peculiar position that as 99 out of 100 of them were practically undefended, there was the greatest opportunity for collusion between the parties, and no facility of inquiry into the nature of that collusion. The husband desired a divorce against his wife, and the wife desired a divorce against her husband. Both parties equally wished for it. Then the paramour, who was co-respondent, wished it in many cases as much as the husband and the wife. Now, in such cases they might have the three parties interested all in league to deceive the Court, and therefore it was highly necessary to make such an arrangement in their rules of procedure as would tend to bring out all circumstances of suspicion. He felt that there ought to be in every case the presence of the Attorney General or some one representing him on the part of the Crown and the public, and not only on the part of the public, but on that of the friends of the parties minded to prevent the divorce. Many cases had occurred within his recollection of intimation being given to their Lordships by the friends of parties, which prevented their passing a Bill of Divorce; but no such intimation could be given to the Court of Divorce under pain of imprisonment for contempt. He remembered a case which came before their Lordships, in which they were informed that the paramour was so far in league with the husband that he paid the expense of the application for divorce. They were apparently hostile parties; but their Lordships, having their suspicions awakened by information that reached them, elicited sufficient by the cross-examination of witnesses produced, and the examination of other witnesses, to satisfy themselves that there was no real opposition, and the application was refused. Such a course, however, could not be taken by the present Divorce Court, because no person could intimate his suspicions to the Judge without the chance of being committed. Yet it so happened that he himself knew that a similar case was pending in the Divorce Court, and that the same kind of intercourse was believed to exist between the paramour and husband. If the Attorney General appeared for the public the Court would become possessed of the knowledge of that fact, and might possibly have it proved in evidence. In the Judicial Committee of the Privy Council there had long been a rule that no petition should be entertained for the extension of a patent without the Attorney General or his representative, on the part of the public, being present. In most cases of extension of patents the whole of the facts were before the Court, and therefore the Attorney General was not so clearly necessary as in cases of divorce, in which facts might be concealed by the collusion of the parties. He was inclined to think that there ought to be a peremptory rule for the examination of the petitioner in every case. In the return of the cases up to March last he found that in no instance—neither in the thirty-seven cases in which divorce had been granted, nor in the six in which it had been refused—had the parties been examined. It ought to be the general rule to examine the petitioner, although there might be many cases in which the other parties ought not to be examined. As an example of the advantage of having the petition extended, he might mention a case in which the Judge Ordinary objected that the petition was not according to the standard of conciseness, which the rules of the Court required, and it was, therefore, referred by the omission of a great mass of statement. But the Judge having read the petition and taken a note of the particulars, he afterwards committed these to the full Court and then called on the husband to be examined, and soon disposed of the application. There was another circumstance which required very great consideration—namely, the system of service, or means whereby notice of the proceedings of the Court was served. The first thing that should be attended to was that all parties concerned should be properly served with the petition. To this time no sufficiently stringent rule had been laid down, and consequently parties might be divorced without their knowing anything of the proceedings. No security was taken that there should be actual personal service. That, in his opinion, ought not to be the case, and the same certainty of personal service as now prevailed in those instances in which the non-obedience of the parties served rendered them liable to attachment, might, he thought, with advantage be required. The last circumstance to which he wished to call attention was this; he had been anxious to know whether there was any foundation for the rumour that the Court had disposed of twenty-seven causes in one day, and he was glad to find that it was a great exaggeration. Though it might be true that some proceedings in connection with twenty-seven cases had been disposed of in one day—the largest number of divorces actually decreed within that time was nine. Still it was a startling fact that the new Court should have granted in one day as many as, under the old system, had been granted by Parliament in three or four years. Indeed, he believed that for a period of three centuries only 365 divorces had been decreed altogether. But, notwithstanding the change which had since taken place, he felt assured that the greatest possible care and attention were bestowed by the learned Judges who presided in the Divorce Court in coming to a decision on the cases which were brought under their cognizance. The subject was one, however, the importance of which was of so transcendental a nature that it ought to be fenced round with all the securities which the Legislature could provide. In the vast proportion of cases of judicial separation he found the wife took the initiative, while the husband was the prime mover in the great majority of cases of divorce; but whether in suits of the one description or the other, it was highly expedient that the question brought under the consideration of the Court should be thoroughly investigated. He could not close his observations without bearing testimony to the distinguished merits of the learned Judge, Sir Cresswell Cresswell, who presided in that Court, and who discharged the laborious duties which devolved upon him with the greatest efficiency. His learning, his acuteness, and his indefatigable industry were above all praise. The noble and learned Lord concluded by *moving*,

„ That the Account of the Number of Causes, Matters, and Things heard and disposed of in the Divorce Court, from 1st January to 1st June 1859, distinguishing the Number of Cases of Judicial Separation, of Dissolution of Marriage, and of all Matters relating thereto other than Sentences (laid before the House on Monday last) be *printed*."

The LORD CHANCELLOR said, his noble and learned Friend had done good service in bringing under the notice of the House the subject to which he had just called their Lordships' attention. Its importance could not be exaggerated, and he had for some time been so strongly impressed with that feeling that he had, previous to the dissolution of Parliament, deemed it to be his duty to ask his predecessor on the woolsack whether he was prepared to introduce a Bill to remedy the defects which existed in the working of the Divorce Court. He was informed in answer that such a Bill was in course of preparation; and as the duty of dealing with the subject had since devolved upon his own shoulders, he had directed to its consideration his most anxious attention. He concurred with his noble and learned Friend in the opinion that the present Court had upon the whole worked well, and was perfectly ready to bear his testimony also to the untiring energy and consummate ability which the Judge Ordinary (Sir Cresswell Cresswell) had brought to bear on the discharge of the duties of his office. There was, however, notwithstanding that energy and that ability, a want of judicial strength in the Court which rendered it incapable of getting rid with sufficient despatch of the business which came before it. The Legislature, he was nevertheless of opinion, had acted with perfect propriety in not, in the first instance, establishing a set of Judges whose time should be exclusively devoted to the discharge of the business of that Court, inasmuch as it was impossible to predict what might be its amount. Parliament ought, he thought, to proceed tentatively and experimentally, even now, in dealing with the subject; for although there had been a great influx of business into the Court since its creation, still, as yet it was impossible to say what the steady course of its business might be. He should not, under those circumstances, advise their Lordships to appoint new and permanent Judges to preside over the Court, but should, as a temporary remedy for the defects to which he had referred, propose that all the fifteen Judges should be members of the Court, and should make arrangements whereby two of them might by turns sit with the Judge ordinary to constitute a full Court and dispose of the business which might be brought under their consideration. That course being taken for the present, their Lordships would, he trusted, before long be in a position to ascertain what judicial strength was required for the fulfilment of these duties. He also concurred with his noble and learned Friend in thinking that there was not, under the existing state of the law, a sufficient safeguard against collusion, although he believed that not a single instance of such collusion had as yet occurred. He thought, however, it should be made more difficult than it was, and he concurred with his noble and learned Friend that some functionary should be employed who should investigate the circumstances of each case before it came on in Court; while it might also be not undesirable so far to change the rules of procedure as to require a more circumstantial statement from the petitioner of all the circumstances of his case, with a view to the investigation being conducted in a more satisfactory manner. That, he thought, might be done without levying any additional burden on the public revenue, because it was but fair that the expense of the proceedings should be cast on the petitioner in the first instance, to rest on him permanently in case of the failure of his suit; if he succeeded, on the adulterer, by whose misconduct the investigation had been rendered necessary. Beyond that there were some improvements which might be immediately adopted; and one of those was that the Court should be authorized to sit *in camera*, as was the case in Scotland and France, and whenever the details of a case were of an objectionable character to exclude the public. So in all cases of domestic quarrels it would be advisable, with a view to future reconciliation, to hear the case in private, and not to allow all the details to get into the papers. There was another point of great importance. As the law now stood, nothing could be done with regard to the custody of the children except by the full Court, but it was desirable that the Judge Ordinary should have power to dispose of them. These and other points would be dealt with in the Bill, which he hoped in the course of a few days to lay upon the table.

LORD CRANWORTH admitted, that it was impossible to exaggerate the importance of this subject; but he must say that he regretted that the notice which his noble and learned friend had given was not one which was calculated to call attention to this subject. Looking to the terms of the notice (which was "to move that the Return No. 44 in the Minutes of 9th June, and delivered on the 27th June, be printed") he had not the remotest notion what it was about. He said this in justification of his being little prepared to give an opinion on the subject, which, however, was of the less importance that the subject would probably be fully discussed on Thursday next. In many of the observations of his noble and learned Friends he concurred. When the Bill constituting the Divorce Court was originally brought forward, he proposed that the Judges who should form the full Court should be the Judge Ordinary—sitting with either the Lord Chancellor or one of the Chief Justices, or the Chief Baron, of the Common Law courts—which Court alone should be competent to deal with cases of divorce "*a vinculo matrimonii.*" That provision was so far modified as to include the senior *puisne* Judges of each Court. It was, however, found extremely inconvenient to secure the attendance of the Chief Justices or the senior *puisne* Judges, and he thought that his noble and learned Friend was quite right in proposing to empower all the *puisne* Judges to sit in the Divorce Court. Whether that provision would be sufficient he could not tell, for the whole process of dealing with this Court must be tentative—he thought that there was great reason for believing that it would suffice. He had had a conversation with the Judge Ordinary on the subject, and had asked him to put his opinion in writing for the purpose of its being used by him on the coming on of the Motion on the subject of which notice had been given. In the opinion of the Judge Ordinary, if he could have the assistance of all the Judges for the purpose of forming a full Court whenever it was required there would be no arrear of cases—for the cases, though important, rarely occupied much time. It was said that there was not sufficient provision against collusion, and he should be happy to assist in framing any means by which that could be prevented. He rejoiced to hear from his noble and learned Friend on the woolsack, that Sir Cresswell Cresswell had stated that not one case of collusion had occurred, and in the strict sense of the term it was not likely that there would be one case a year ; at the same time it was right that every precaution should be taken to prevent its occurrence. His noble and learned Friend seemed to think that some public officer ought to investigate the cases before they went into Court ; but he thought it certainly doubtful whether such a plan would succeed ; for, if they could not be thoroughly investigated in Court, how could they be better investigated by a public officer ? Still, he was open to conviction. Having introduced the original Bill constituting the Court, and having been once or twice twitted with the number of cases of divorce which had arisen, he had answered that that was the greatest proof of the propriety of the measure ; not one of the cases which had been brought before the Court, if they had been brought to their Lordships' bar, but would have passed, which was a proof of the efficacy of the measure in extending relief to the poor as well as the rich.

Lord REDESDALE said, he could not allow the conversation to terminate without addressing a few remarks to their Lordships. They would remember the strong opposition which he gave to this measure during its progress through Parliament ; and he must say that every one of the fears he then entertained upon the subject had been realised by the consequences that had followed the passing of the Act. With regard to the statement that no divorce had been granted by the new Court which would not have been granted had the case come to their Lordships' bar, he begged to draw attention to one point which was referred to in the Returns, namely, the immense number of applications for divorce by wives against their husbands. It was well known that it was rarely the practice of this House to grant a wife a divorce from her husband; but upon consulting the Returns he observed that in the course of the present year, forty-two divorces had been granted by the new Court on the application of husbands, and nineteen, or nearly one-half that number, on the application of wives, not one of which nineteen would have been granted had the applications been made at their Lordships' bar under the old system. Again, at the commencement of this year, 184 petitions had been presented by husbands, and 104 by wives; and under the former law he believed that in almost every one of these 104 cases divorce would have been refused. So far as the question of collusion was concerned, their Lordships would recollect that the most dangerous cases of collusion were those which came upon petition from the wife against the husband. When a man seeks a divorce, the proof of his wife's adultery destroys her character, and she forfeits her position in society. No woman would deliberately incur this disgrace for the purpose of being divorced, and thus in the case of the husband's suit there is seldom collusion between the parties in regard to the act on which the divorce is founded. But where the woman comes as the injured person, and obtains a divorce on showing that her husband has been guilty of adultery coupled with two years' desertion without reasonable cause, both of which facts he may admit without altogether forfeiting his position in Society, there is a great chance of collusion in cases when both are mutually tired of each other, and desirous of forming new engagements. These cases required the greatest possible watchfulness on the part of the Court ; and the facts he had stated, proved, he feared, that great moral injury would probably be inflicted upon the community by the facility which had been given for applications of that sort.

Motion *agreed to.*

CHURCH RATES.

MOTION FOR A SELECT COMMITTEE.

The Duke of MARLBOROUGH said, he had been anxious on several occasions this year to bring the question of which he had given notice before their Lordships' attention, but hitherto he had been disappointed in consequence of the unsettled state of public affairs; and in doing so at this advanced period of the Session he feared that the consideration which their Lordships would be able to give to it would not be such as a question of such importance deserved. It was thought in some quarters, that inquiry having already taken place in the other House of Parliament, and the subject of church rates having been so fully discussed, and received so large an amount of attention, it was scarcely possible to collect any further facts, and that the appointment of a Select Committee for the purposes which he now proposed was not likely to be followed by any practical results. He thought, however, that a few considerations which he wished to offer to their Lordships would show that there was still subject-matter which might be inquired into, and inquired into with advantage. In the first place the Commons' Committee of 1851 did not fairly represent the feelings and views of that great body which was most interested in the question of church rates—he meant the Church of England; for, looking at the composition of that Committee and the nature of the evidence that was brought before it, he must say that the investigation appeared to be of a very partial character. He found that twenty-three witnesses were examined before that Committee, of whom fifteen were thoroughly opposed to church rates, both in principle and in practice; nine of them being Dissenters. Of the remaining eight, two were clergymen of the Established Church, in whose parishes, most unfortunately, disputes had arisen respecting church rates, and who, consequently, whatever their views as to church rates in the abstract might be, could only speak to the lamentable circumstances which had occurred in their own parishes. There were, therefore, only six witnesses examined before the Committee who could be fairly said to represent the views which were likely to be entertained by the Established Church on the question, although their evidence comprised a digest of the law upon the subject which was of a most useful character. Considering, then, the importance of the question, and the immense magnitude of the interests involved in it, he thought he might ask their Lordships to grant him a Committee whose object should be to collect and present to them a fair and an impartial view of what were the opinions entertained by persons of experience in the ministry and practical working of the Church of England, who would be able to say how the church-rate system operated in their several parishes, and who fairly represented the views and desires of the Church. There was another reason why his motion should be adopted. Their Lordships would remember that when the Committee of 1851 was moved for in the other House, the question of church rates occupied a very different position from what it did at the present moment. At that time most unpleasant disputes had been raging in the parish of Braintree. The well-known Braintree case originated in the churchwardens of that parish endeavouring to raise a rate in defiance of the wishes of the majority of the vestry, and in the next place, after a decision had been given against the churchwardens on that point, the vestry met together, and when the majority refused a rate the minority took the question into their own hands and proceeded to assess the rate. The case then came by appeal to their Lordships' House against the decision of the Judges; and it was an opinion expressed by witnesses before the Committe of 1851, that if the decision of their Lordships should be that a rate could be legally imposed by means of the vote of a majority of the vestry only, such a decision would of itself go far to settle the question, and prove satisfactory to the public at large. Well, their Lordships decided the law to be that a majority of the vestry must determine whether the rate should be assessed or not—the very decision to which the witnesses pointed as one that would be permanently satisfactory to the public; yet from that time to this the endeavour to overthrow church rates had been prosecuted as strongly and as virulently as ever. He thought then, that it was a matter of great importance that their Lordships should have the opportunity of inquiring into the working of the law in its new and altered form, and that they should be enabled to see how the question had practically worked in many parishes which had been the scene of church-rate contests, and whether from the very fact of that decision having been brought into effective practice much of the evil and grievances which had previously existed had not ceased. There was yet another reason why he thought an inquiry ought to be instituted in reference to this subject. He believed that, as a matter of privilege, it was not competent for their Lordships to originate a Bill connected with taxation and send it down to the Lower House.

They were, therefore, in this position—that, unless they adopted the course he now proposed, they could only indulge themselves in a barren discussion of the question, without any chance of getting at a practical result, or they would have to accept or reject any Bill which might be sent to them from the other House. He need not remark all the inconveniences of year after year rejecting Bills which were sent from the House of Commons. True, those Bills might go further than many of their Lordships deemed to be prudent or politic ; yet they might contain principles which in a modified or an amended form, their Lordships would approve of. If, however, they partook of the nature of money Bills, the only alternative was that they must be accepted or rejected. Undoubtedly there were many subjects of grievance which were connected with church rates, and which ought to be redressed. In the first place, it appeared that rates had been voted for improper purposes ; expenses had been included in the rate which had no business to be included in it ; provision had been made by means of the rate for many things of an expensive nature for the service of the Church; and when these things were looked into, they undoubtedly formed a ground of grievance to those who, though inclined to look upon the Church as a national establishment, were not prepared to go to the extent of voting not only of necessaries, but he might say luxuries, for the use and maintenance of the Established Church. The cost of litigation formed another grievance which required consideration. In one case the recovery of the sum of 3*s.* 4*d.* occasioned an expense of £250 in law costs. Again, every time that a distress was levied upon the goods of a Dissenter, the public mind was inflamed against the system of church rates. Dissenters said, they contributed towards their own places of worship, and regarded it as a hardship that they should be made to pay for the support of a Church from whose doctrine and disciplino they widely differed. Another cause of complaint was, that an unpopular clergyman sometimes created great ill-will by the harsh and violent manner in which he sought to enforce the law; while, on the other hand, where a conciliatory disposition and a desire to meet the feelings of all parties were displayed by the minister of the parish, church rates were often freely granted and paid without a murmur from any. These, then, were the main grievances to which Dissenters were subject, and he thought they were all capable of being removed by careful legislation without destroying the principle of church rates itself. The next question was, what was the best measure to be adopted for removing these grievances, and placing the entire question on a satisfactory basis;—and when he said what would be the best measure, he must add that he knew of no subject on which so many measures had been proposed, and so little resolved upon or carried out. No fewer than seven different measures had been proposed, each differing from one another, in the mode of settling the matter. He himself believed that an easy means might be arrived at for the amendment of the law that would be satisfactory to the public at large. The measures that had been proposed resolved themselves principally into two different sections; one contained a proposition for charging the rate upon fixed property, while the other proposed to levy the church rate on those who constituted a church vestry, and those who occupied pews and sittings in the church. Now, the charging the rate upon fixed property did away with a most important principle—the voluntary principle—the great principle upon which Christian conduct ought to be established, and in which a great truth was involved. It was one of the most important accompaniments of religious worship, and was the principle upon which alone, in the opinion of the Dissenters, Christian worship ought to be conducted. But if church rates were made a fixed charge on the land, this great principle would be lost sight of, and with it the system of leaving the majority to decide whether a certain sum should be voted for the maintenance of the common church. The decision by a majority would have the effect, when enforcing the rate, of reminding many, who would otherwise not be reached, of their religious obligations in respect of the Church. The other proposition, that of levying a church rate on those who constituted a church vestry, or who occupied pews and sittings in the church, would be virtually to proclaim that no person was in communion with the Church until the vestry was formed, and those who were already members of the Church would, under this arrangement, be invited to place themselves *de novo* under its ministrations. Now, however, the law as established looked on every person as a member of the Church of England, and considered that every person in this country was entitled legally to call in the parish minister to perform the rites and offices of religion according to the ritual of the Established Church. If then they were to establish this new system, and constitute what was called a Church vestry, they would only be doing that which the Dissenters in this country were endeavouring to carry out, namely, the placing the Church of England in an isolated and sectarian position. Moreover, the effect of this proposal would be prejudicial in another respect. A large number of persons did not attend the Church of England, and there were a large number who, though nominally members of the Church of England, but who unfortunately were not habitual attendants upon public worship, and who would not be called on to contribute to the expenditure of their common church, while they could not justly claim exemption on the ground that they contributed to any other peculiar place of worship. As to the plan for throwing the maintenance of the Church upon pew rents, the principle of the Church was, that the seats should be as free as possible; and, though the system of pew rents might work very satisfactorily as far as concerned the rich, yet it would entail very grievous hardship on the poor, who regarded the Church as their common property, and were entitled to have the privilege of sitting there and enjoying the ministrations of the Gospel free of charge. Another measure that had been suggested was the simple and unconditional abolition of church rates. This would involve so serious an infraction of the rights of the Church, and strip it so entirely of any provision for the maintenance of its fabrics, that he trusted not to see the day when their Lordships would sanction it. Another remedy that had been proposed was, the specific exemption of Dissenters. To this Dissenters themselves objected, but not with very obvious justice. Not satisfied with being exempted as a body from an impost of which they complained, they rather unreasonably asked that the whole system of church rates should be abolished. Several measures had from time to time been proposed for the exemption of Dissenters, and yet they had all failed. In the year 1840 Mr. Duncombe proposed to exempt Dissenters on signing a declaration that they were not members of the Established Church, and that was represented as the best and most satisfactory mode of settling the subject The declaration required them to state that they were not in communion with the Church of England, and that they objected to the payment of church rates, not on pecuniary grounds, but on the score of conscience. But it was found that an exemption, coupled with a condition of this kind, met with a large amount of opposition, and he did not regret it. There were a large number of persons who, although they dissented from the Established Church, were not entirely Dissenters. They held an independent principle, which made them dislike the discipline and practices of the Church of England; but still there was a latent desire amongst them not to be entirely excluded from her, or to be without her privileges. There was, moreover, a large class in this country who would not be content with mere exemption, and who would accept nothing short of an unconditional surrender and abolition of Church rates; and this raised a question of such deep importance that it was their Lordships' duty, even at this late period of the Session, to institute a searching inquiry into the subject, so that remedies for all the inequalities and inconveniences of the system, if there were any, might be devised, and the latent objects of its opponents, if possible might be laid bare. The real fact was that the question of the abolition of church rates was put forward by a large and influential party in this country as a blow aimed at the existence of the Established Church, and as a means of carrying out the object they had in view—namely, that of disuniting the Church from the State, and the secularization of those vast endowments that now belonged to the parochial clergy of this country. Mr. Bright, a few years ago, speaking of the exemption of Dissenters, and on the subject of legislation on the Established Church, said he could never consent to Dissenters, because they were Dissenters, being shut out from any future participation in the distribution which might hereafter be made of the Church endowments—the time might arrive when it would become a question what would become of the funds in which the State were now interested belonging to what was called the National Church, and he could not consent that Dissenters, as such, should be dispossessed of their share, whatever course was adopted. These were views from which Mr. Bright and those that he represented were not likely to depart. They were doubtless the principles that still actuated and guided them, and which only showed their Lordships and the public what were the real motives and principles of the opponents of church rates. Further than this, he would call attention to the proceedings of a society called the Liberation Society, established for the avowed principle of promoting the liberation of religion from State control. At an Annual Conference recently held it was proposed by one gentleman to add to a Resolution this rider:—"That at the same time this Conference expresses an earnest hope that the executive committee will find it practicable to bring the great question of Church and State before the Legislature at an early day." But Mr. Miall, a member of the conference, was too experienced a tactician to permit this. He opposed this proposition, showing that there was a difference of opinion among the members of the conference as to the best mode of accomplishing the object. "My hon. Friend," he said, "wishes to take up a fagot bound—we wish to take it up stick by stick." This explains the policy and objects of the opponents of church rates. The sticks in question were to be represented and enumerated under the following heads:—The abolition of church rates, which was the first stick in the fagot; the common use of the churches, the question of University tests, endowed grammar schools, the Scottish University test, the annuity tax (Scotland), and the common use of burial-grounds; and it was stated that a gentleman of intelligence and practical knowledge would shortly bring before Parliament a Bill to enable Dissenting Ministers to make common use of burial-grounds. All these subjects were to be taken up separately. He therefore thought that it was a matter of the very highest importance that their Lordships should by calm and impartial inquiry ascertain whether there were the means of removing the actual grievances which might be proved to exist with respect to church rates, and endeavour, in their report to show what might be done to set the question at rest, and thus give confidence and security to the members of the Church throughout the kingdom. There was one point which had often surprised him, and to which he would direct their Lordships' attention. The gentlemen who composed the Liberation Society had put forward a circular addressed to the various parishes, in which they say—"They have issued this useful little manual by means of which any ratepayer who wishes to prevent the assessment of church rates in his parish may learn how to proceed, and may perceive that it is hardly possible to levy a church rate where the ratepayers think proper to use the existing law." And yet they called on this and the other House to abolish the existing law as an intolerable nuisance. If their Lordships granted this Committee he was sure that they would do much to relieve a vast amount of anxiety which existed in the country. It had been proved that there was not more than 5 per cent of parishes throughout the country that objected to church rates, and that upwards of £250,000 was annually collected under that head. It was said that if church rates were abolished there would be voluntary contributions which would prevent our churches from falling into decay; but he must remind their Lordships that voluntary contributions already existed in conjunction with church rates, and if church rates were abolished by law he believed that the means of maintaining the churches must certainly fail. Though the remainder of the Session was short, he was sure that before the Session terminated the Select Committee for which he moved would obtain a certain amount of information which would be of the highest importance in the settlement of the question; and even if the matter were not concluded this Session, still a further opportunity might be given for continuing the investigation on a future occasion. Their Lordships had long been the guardian of the liberties of the people, and by settling this question they would show that they were the best defenders of the surest safeguard of an hereditary monarchy—namely, an Established Church. The noble Duke then *moved*,

> "That a Select Committee be appointed to inquire into the present operation of the Law and Practice respecting the Assessment and the Levy of Church Rates."

LORD TEYNHAM, (who was almost inaudible, was understood) to say, that the Established Church had been represented to be the poor man's Church. That might be so; but it was emphatically the rich man's Church. The rich and mighty of this world would not enter so lowly a place as a meeting-house. Politically our churches were of immense value. They told us facts in English history; they spoke of the manners and habits, and ofttimes of the lives and deaths of our ancestors. He thought that if the Committee calmly and impartially considered the extent and effect of the strife originating in church-rates, they would recommend their Lordships to abolish them in the manner which should seem best. But he rather feared that the Committee would be used as an instrument for defeating any measure which might be sent up from the other House on the subject. On the other hand the subject was of such importance that if any new facts could be elicited by inquiry, it was fitting inquiry should be made. If only 5 per cent of the parishes objected to church-rates, was not that enough to render it desirable that the source of bitterness should be removed? He believed it was a fact that under the existing law voluntary contributions exceeded the amount raised by church rates, and it would be for the Committee to inquire whether there was anything special in the parishes where voluntary contributions were raised to lead to the inference that the same liberality would not be shown if church rates were abolished. There was one further fact which might be deduced from the returns to Parliament,—that the condition of the churches where no rate was levied was equally as good as where church rates were collected. Heartily desiring that the edifices should be maintained, he thought the best way to secure that object was to abolish church rates, but, at the same time, he had no objection to the appointment of a Committee.

THE ARCHBISHOP OF CANTERBURY: My Lords, I feel that we owe a great amount of debt to the noble Duke for the Motion which he has made this evening. I think that this House is equally indebted to him; for this House will soon be called on to legislate on the subject, which involves consequences not anticipated by many who, if they have not promoted, have not opposed the measure of abolition, but consequences well perceived by the agitators who promote it. Therefore, the subject requires the utmost deliberation, which it has never yet received, for, although a Committee was held on the subject in the lower House, no report was returned from that Committee. The subject, my Lords, is of much greater importance than in the view of many persons it seems to be. I fully believe that if it were clearly seen how great would be the danger to important interests if the Church be attacked upon the point now under consideration, the opinion of many persons would be changed, and we should never have again before us such a measure as was brought before us last Session, and which your Lordships were fully determined should not be carried without some substitute being found for church rates. It is for the purpose of finding a proper substitute for church rates that I think it desirable that the Committee proposed by the noble Duke should be appointed. The noble Lord who has just sat down hoped for inquiry, because he thought it would prove the inconveniences that existed. We, on the other hand, desire inquiry, because we believe that the instances to which the noble Lord alluded were anomalous, and that inquiry would establish that fact. My Lords, there are two objections to the present system of church-rates; one, which I will call the conscientious objection, originating in Dissenters from our Church, who complain of being taxed in support of a church to which they do not belong, and the doctrines or discipline of which they disapprove. The other objection proceeds from Churchmen themselves, in those large towns where the parish church is surrounded by numerous chapels, frequented by those who support them, but who are rated to the mother church, from which they receive no benefit. In the northern part of England, with which I was formerly well acquainted, the opposition to church rates had this origin. My Lords, it is right that these objections should be considered, and, as far as they are just, that a remedy may be provided for them such as may be proposed in Committee. The remedy need not be the extreme measure of releasing property from an obligation to which it has been always subject, and subject to which it was received by all its present holders, and that wholly at the expense of a Church of which I may fearlessly say that it never was more anxiously desirous to fulfil the duties belonging to it, and to provide for the spiritual wants of the increasing population. I trust, therefore, that the noble Earl the President of the Council will not object to the appointment of a Committee.

LORD PORTMAN said, that no one was more impressed than he was with the importance of a speedy settlement of this vexed question; and he believed that if any of the propositions which had been referred to during this brief discussion had been agreed to years ago, a settlement might have been arrived at much more satisfactory than was now, perhaps, to be anticipated. From what had recently taken place upon the hustings, from declarations made by men who had heretofore taken a moderate course, that they would scarcely even venture to support a rate for maintaining the fabric of the church—he could not but fear that much further delay in the settlement of this question might lead to a collision between the two Houses of Parliament, although he hoped that such a result might be prevented by the deliberations of this Committee. He trusted that the Committee in entering upon its investigations would not be actuated by that spirit of antagonism which he thought the noble Duke had indicated somewhat too strongly, but would rather be influenced by the calm and considerate spirit which characterized the suggestions of the most rev. Prelate. He (Lord Portman) did not think they could hope to continue, with the goodwill of the great body of the people, a rate for supporting the fabric of the church if the proceeds of the same rate were applied to the maintenance of the services of the church and for other purposes, as well as of its fabric: for if attention were directed to the way in which church rates were levied, and to the purposes for which they had been levied, it would be found that the great objection to church rates was attributable to the abuses which had taken place in their application, such as paying rent of cottages for paupers who are thereby kept out of the workhouse, paying for the destruction of vermin, all sorts of illegal fees and items that could pass no account that is audited. If consideration were given for a moment to the abuses existing in the present system, it would no longer be a matter of wonder that church rates were objected to. There was no provision made for the auditing of churchwardens' accounts, and after the money was spent there was no means of calling the churchwarden to account for any abuse he had sanctioned in the shape of irregular payments. He had been told by many influential Nonconformists that they were quite willing to contribute their quota to the maintenance of the fabric of the Church —that they considered the Church as a monument of their religion—and that they only objected to the application of their payments to the services of the Church. He thought this subject deserved the careful consideration of the Committee, with the view of ascertaining whether some separation might not be made in the contributions for these objects. It might be that such a separation could not be effected, or that it would be an unwise course to pursue; but the information he had gathered on the subject led him to form a different conclusion, and to believe that it was perfectly feasible. It appeared to him that there was something incongruous in the term of a "voluntary rate." There was the greatest possible difference between a voluntary payment and a rate, and he could not conceive how a rate imposed by the vote of a majority binding a minority could be called a voluntary rate. It had been stated that under the existing state of things the voluntary contributions for the maintenance of churches actually exceeded the amounts obtained by rate. The most rev. Prelate (the Archbishop of Canterbury) inserted in a Bill he introduced on this subject a clause providing that in every parish in which no church rate had been imposed for two years the rate should cease. He (Lord Portman) had inserted a similar clause in the Bill he had laid upon the table, not upon principle, but because, as it had been suggested by the most rev. Prelate, he had no doubt it must be founded upon sound reason. He thought it most unfortunate that although some two or three years ago there had been an indication from the right rev. Bench of an inclination to endeavour to settle this question, so long a time had been allowed to elapse without the introduction of any practical measure with that object. He believed that if the right rev. Bench could agree upon any plan which might be discussed in an open Committee of their Lordships' House, an opportunity would be afforded to the Members of the other House, many of whom were anxious for the settlement of this question, to propose some measure which, originating in the other House, might meet with general approval. He observed that a right hon. and personal Friend of his, although a political opponent—the late Secretary for the Home Department (Mr. Sotheron Estcourt)—had told his constituents that he was prepared to submit to Parliament a measure for the settlement of this question. He (Lord Portman) could only express a hope that his right hon. Friend's change of position would not lead him to relinquish his intention, for no man was better acquainted with the general feeling which prevailed throughout the country, and no man was more warmly attached to the Established Church. He would suggest, that one subject which deserved the serious consideration of the Committee was the grievance to which many members of the Church were exposed in being subjected to a double payment for ecclesiastical purposes—the payment of rates to the mother church of the parish, besides contributing to the support of the churches in the districts in which they resided. This double charge had led to a great deal of opposition to church rates, and the position of the new churches would hereafter be very bad unless some better system is established by Law. He (Lord Portman) had ventured to lay a Bill on the table to carry out the objects to which he had alluded, and he had made provision for an endowment to be entrusted to the Queen Ann Bounty Board, which he believed would be useful and efficient. He did not presume to think that his Bill was complete, as he could not be vain enough to believe that any one person could prepare a complete measure; but he felt he was pledged to this House to make a trial, and to do his best and meet the views of the two great parties who contend on this subject. He offered his scheme as a contribution towards the final discussion in the House that some earnest and determined effort would be made to legislate at once, and to remove this cause of discord from the parishes of the kingdom.

THE BISHOP OF LONDON: My Lords, I feel it necessary to notice one or two observations which have been made during the discussion of this question. It has been continually said—and it was said or hinted just now by the noble Lord—that if the right reverend Bench had only done their duty, and had produced a measure to solve this problem, we might have been rid of this question of church rates long ago. But I rather think your Lordships will agree with me that no great encouragement has been given to any one, in what has hitherto occurred, to take upon himself the solution of this question by the production of a Bill. We have heard how many Bills have been proposed, and that all have been successively rejected; and I believe that the noble Lord himself who has to-night brought in a Bill will form no exception to the general rule. I think, therefore, that the right rev. Bench have perhaps pursued a wiser course in not committing themselves to undertake the solution of this question, but rather in praying your Lordships' House to appoint this Committee, that it may be gravely, calmly, and impartially considered in all its various aspects. If your Lordships would allow me I would notice two points which, I think, ought to weigh very much with all persons in considering this question. We have heard it said, on what was represented to be good authority, that at the present moment there is only one-third of the population of England that belongs to the Established Church. I look in vain for the grounds on which that proposition rests. The only possible grounds, so far as I know, on which it can be supposed to rest is this, that the Established Church supplies accommodation for that proportion of the population of England. What an extraordinary conclusion to arrive at, and to pronounce in the most public manner that, therefore, only one third of the population of England belongs to the Established Church. I hold in my hand a statement, to which, perhaps, your Lordship will allow me to refer. There are other modes of estimating what proportion of the population of England belongs to the Established Church than this, which seems to me to be illogical. I find it stated in the publication which I hold in my hand as to the education of the poor, that 83 per cent of the existing schools for the poor are in connection with the Church of England; and that of the 2,000,000 of children between the ages of three and fifteen, in course of education, 78 per cent are in connection with that Church. I find also, when we turn to the marriages contracted in England and Wales, that 84 per cent of the whole number are solemnized by Ministers of the Church of England, 11 per cent by clergymen of the Romish Church, by Ministers of the Protestant Dissenters, and Jews, and 5 per cent at the Registrars' offices. I think, my Lords, that these figures lead us to suppose that those who have made the statement that only one-third of the population of England and Wales belongs to the Established Church have jumped to a conclusion not justified by the premises. The noble Lord who spoke last but one deprecated (and none can be more ready to deprecate than the right rev. Bench) those feelings of rancour which are supposed to have arisen in all parishes where there have been disputes about church rates. But if the noble Lord will allow me to say so, I think he is referring to a bygone state of things. Why, there are disputes—if disputes they are to be called—I should rather say there are questions as to church rates raised one day in the year, and every person who has anything to say against church rates or the

Church has an opportunity of saying it; and, in my opinion, this is rather a safety valve than anything else against these rancours and heartburnings which I think exist in the imagination only, I will not say of the noble Lord, but of those who wish to make a great deal more of them than there is any foundation for. In a word, the mode of settling any dispute with regard to church rates is the common mode of settling disputes in this country with regard to any other subject. The matter is fairly put to the vote, and if carried, the minority of course are a little dissatisfied, but in the course of three or four days they forget all about it; and though in former times, while there were many difficult questions existing about church rates still unsettled, there might be these heartburnings and rancours, I do not believe they exist any longer. It does seem to me a most extraordinary conclusion to arrive at, that because in 500 parishes in England the matter has been put to the vote as to whether there should be a church rate, or no, and the majority have rejected it, therefore it is your bounden Christian duty to say that in 11,000 parishes and more you should abolish church rates altogether. I cannot see the connection between the premisses and conclusion. Then as to the parochial system and those churches which the noble Lord (Lord Teynham) is so anxious to have preserved. I give him the utmost credit for the sincerity of his wish to have them preserved; but I am quite sure that your Lordships must think it is a curious way of preserving them to do away with that legal support by means of which they are preserved. It is not very likely, for instance, that in remote places in Cumberland the churches will be kept up unless there be some legal means provided by which they are to be maintained. It is quite a fallacy to say that the most beautiful churches are those which are provided by voluntary contributions. Why, the noble Lord might as well refer to that beautiful structure which has been lately erected in London at the expense of private individuals, costing, as some people say, £100,000, and say, "If you only give the voluntary principle full sway, you would have in Cumberland another edifice that would rival its beauty." There is, in short, no connection between the position of a rich and populous district where a number of persons are to be found almost anxious to spend the wealth which they possess in the erection and maintenance of churches, and that of the remote parts of the country, where perhaps church accommodation is still more needed. I had thought that the fallacy of the voluntary system had been long since exploded. It has, indeed, been said by a great authority that the questions of education and religion ought to be dealt with in accordance with the ordinary politico-economical principles of supply and demand; but it has, nevertheless, in my opinion, been distinctly proved that to those questions the principles of political economy cannot be applied. Instead, for example, of the supply of education being greatest where it is most needed, the contrary is almost invariably the case. Thus, too, it is with religion. Some men are completely torpid on the subject, and require something from without to imbue them with more earnest feelings; and that something is not always at hand. I would under those circumstances, earnestly impress upon your Lordships the expediency of granting the Committee which has been moved for. A great many unfounded statements on the subject of church rates have been spread throughout the country. These statements require to be distinctly tested, and I know of no better mode of testing them than through a Committee of this House. The Dissenters themselves ought to be anxious that such an inquiry should be instituted. The noble Duke who opened the discussion has read to your Lordships some extracts from the speeches of persons who I feel assured do not represent the sentiments of the Dissenters of England. I do not, however, feel quite so sure that they do not represent the sentiments of the Dissenting interest in "another place," whose voice has hitherto been most regarded in reference to the question of church rates. I am anxious to ascertain what the opinions are which the religious and not the political Dissenters of England entertain; the opinions, in short, of those Dissenters who feel as much as members of the Established Church themselves, that great moral and social interests are involved in its maintenance. I would undertake to say there are thousands of Dissenters in England who would deem it a dark and miserable day for the community at large on which the existence of the Established Church should be endangered; but it is quite certain that this class of Dissenters is not the most powerful in returning Members to the other House of Parliament.

Earl GRANVILLE said, he should not

enter into the details of the important subject under discussion. He was, however, strongly of opinion that the Committee which had been moved for was not required, and would be found to be productive of no useful results. The great difficulties which beset the question of church rates arose, not from the want of adequate information with respect to it, for Committees of Inquiry on the subject had been multiplied, and blue-books accumulated upon blue-books until the result had been rather to confuse than to enlighten. Neither was there any absence of schemes on the subject; and he would undertake to say that the number of such schemes which had been submitted to the noble Earl opposite, during his tenure of the office of Prime Minister, amounted to something considerable. But, although such were the views which he entertained, he did not deem it to be consistent with his duty, after what had fallen from the noble Duke and the members of the right rev. Bench, to oppose the appointment of the proposed Committee.

Motion *agreed to.*

House adjourned at Eight o'clock, till To-morrow half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 4, 1859.

MINUTES.] NEW WRITS ISSUED.—For Ashton under Lyne, *v.* Right hon. Thomas Milner Gibson, President of the Board of Trade; for Wolverhampton, *v.* Right hon. Charles Pelham Villiers, Commissioner of Poor Laws.

NEW MEMBERS SWORN.—For Oxford University, Right hon. William Ewart Gladstone.

PUBLIC BILLS.—1° Public Health; Clerk of the Council; Diplomatic Pensions; Law Ascertainment Facilities.

2° Law of Property and Trustees Relief Amendment; Criminal Justice Middlesex (Assistant Judge).

SALE OF SLAVES IN BRAZIL.

QUESTION.

MR. D. GRIFFITH said, he wished to ask the noble Lord the Secretary of State for Foreign Affairs whether the British Consul at Rio has exercised his authority to prevent a certain contract for the sale of slaves in Brazil, by the directors of a British Mining Company in that country, to one Santos, from being carried into effect, although such sale professed to be under the sanction of the decision of a British Court of Law; and whether or not it is the intention of Her Majesty's Government to support him in that course?

LORD JOHN RUSSELL said he thought that this question had arisen from a misapprehension of the real facts of the case. At the end of the year 1857, Her Majesty's Consul at Rio informed the Government that there was an intention of selling the slaves of the Imperial Brazilian Mining Association to a merchant of Brazil, named Santos, and asked whether such a transaction would be legal. The Government referred this question to the law officers of the Crown. It depended upon the construction of two statutes, one the 5th of *George* IV., which made the sale of slaves felony, and another an Act passed in the year 1843, permitting the sale of slaves then in the possession of persons claiming to be their owners. The point, however, arose whether children born since 1843, not having been slaves at that time, could legally be sold. The law officers of the Crown were of opinion that they could not, and that the selling them by British subjects would be a felony. They added that although if the persons remained in Brazil they might be free from the penalty of the English law, yet if they landed on British ground, or went on board a British vessel, they might be prosecuted for a felony. They intimated, moreover, that it was desirable that this opinion should be known to the parties concerned. It was accordingly transmitted to Her Majesty's Minister at Rio, who informed the Consul, who by his direction communicated to these persons that they would, in certain cases named, be liable to the punishment of felony. The consul did not pretend to prevent the sale, or to interfere with their proceedings. He only gave them warning of the penalty to which they would be subject. He (Lord J. Russell) conceived that his conduct had been perfectly right, and that no objection could be taken to the course which he pursued.

THE INDIAN BUDGET.—QUESTION.

MR. BRIGHT said he rose to ask the right hon. Baronet the Secretary of State for India whether it was his intention before the prorogation to make to the House any statement upon the subject of Indian finance; and, if so, when he would be able to fix the day on which he would make it?

SIR CHARLES WOOD replied that he should have occasion to make such a statement, but he was not then in a position to fix a day for it.

MR. BRIGHT said, he would then give notice that he would repeat his question in the course of two or three evenings, with the view of having a day fixed at a period of the Session when there would remain in town a number of Members sufficient to discuss a question so important as that of Indian finance.

SIR CHARLES WOOD said, the hon. Gentleman seemed to think that he was anxious to postpone this statement. [MR. BRIGHT: Not at all.] He must necessarily come before the House in a short time; but until he obtained certain information with regard to payments in this country and India for railroads he could not make such a statement as would be satisfactory either to that House or to the Indian Government.

SAVINGS' BANKS.—QUESTION.

CAPTAIN DANIEL O'CONNELL said, he rose to ask the Chancellor of the Exchequer if he intended to bring in a Bill this Session for the better regulation of savings' banks?

THE CHANCELLOR OF THE EXCHEQUER said, that it was possible that some Bill might be passed with regard to one or two points of detail connected with the management of savings' banks; but he did not think the Session would last long enough to afford a reasonable prospect for the full consideration of any general Bill upon the subject.

THE BOARD OF TRADE.—QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the First Commissioner of Works whether any alterations are being made in the office of the Board of Trade; and, if so, by what authority, and whether it is intended to submit an estimate to Parliament for them?

MR. FITZROY said, that a day or two after he was appointed to the office which he now held he received a requisition from the Vice-President of the Board of Trade stating that there was such a want of light in his room as to prevent his transacting business, and requesting that some alteration might be made in the window. He understood that it was the general custom to accede to such requisitions from heads of departments, and as the gentleman was going out of town it seemed a favourable opportunity for making the alteration. He, therefore, forwarded this request to the Treasury, and, in the meantime, instructed the surveyor to commence the works. Since then he had received from the Treasury permission to include the cost in the Estimates.

FINANCIAL STATEMENT.—QUESTION.

SIR HENRY WILLOUGHBY said, he wished to remind the Government that no financial statement had been made to the House for fifteen months, and to ask the Chancellor of the Exchequer Whether it is his intention to make any financial statement previous to the House going into Supply. He need not say that it was of the highest importance, and should be made as soon as possible, particularly as regarded the expenditure of the country.

THE CHANCELLOR OF THE EXCHEQUER: It is certainly my intention to adhere to the course usually followed on these occasions. On Friday next the representatives of the military and naval departments will be prepared to enable the House to proceed with these Estimates, and to make known to the House, as far as can be made known, the proposed expenditure for the year in connection with these departments. As soon as the House has disposed of these, the principal demands on the public purse, it will be my desire to fix the earliest possible day for the financial statement of the year, for I know it is very inconvenient to the public that it should be postponed longer than necessity requires. But it is not my intention to make any statement apart from the usual statement which combines the subject of the expenditure with the Ways and Means of the year.

ADVERTISING COLUMNS.

QUESTION.

MR. COWPER said, he wished to give notice of his intention to move for leave to bring in a Bill to limit the power vested in Metropolitan Vestry and District Boards, of permitting the erection of advertising or ornamental illuminated columns in the carriage way of the metropolis. He also wished to ask the First Commissioner of Public Works, whether his attention had been called to the practice of obstructing the streets by the erection of certain illuminated columns, of very hideous and sometimes ludicrous form, whereby great crowds were collected in those parts where they were most likely to be run over, and great discredit was thrown on the metropolis in point of taste; and he also wanted to know whether it was the intention of the right hon. Gentleman to take any steps on the subject, legislative or otherwise, to remove or prevent this outrage on the good taste and common sense of the metropolis. If that was the intention of the right hon. Gentleman, he would not proceed with the notice which he had given.

MR. FITZROY replied, that his attention as that of the public, certainly had been attracted to the curious structure erected near Apsley-house, but he had no more control over such erections than any other hon. Member. He believed that the vestrymen of the parish in which he had the honour to reside were the real culprits. He understood that a French company had recently proposed to set up these columns as a new mode of advertising, and he was afraid that a great many applications had been granted by the authorities of metropolitan parishes for the erection of these structures in different parts. The only way to deal with the matter was to proceed in the way pointed out by the right hon. Gentleman, and he thought he could not do better than leave it entirely in his hands.

MANNING THE NAVY.

OBSERVATIONS.

LORD CLARENCE PAGET said, the right hon. Baronet (Sir John Pakington) had asked him on Friday night whether it was the intention of the Government to bring in a Bill this Session to carry out the views and recommendations of the Government Commission on the Manning of the Navy. He had now to state, in answer to that question, that it was the intention of the Government to bring in a Bill on that subject. He was not prepared to state any of the details of the proposed measure at the present moment, but it would be brought in as soon as possible. With regard to the Navy Estimates, he might add that the noble Duke at the head of the Admiralty had informed him that the sum he proposed to ask from Parliament for the naval expenditure of the country would be the same as that which had been proposed to be taken by the right hon. Gentleman.

SIR JOHN PAKINGTON said, he would inform the hon. Gentleman that he left several Bills already drawn, and having reference to the recommendations in question, in the office of the Admiralty, which might perhaps be useful to the noble Duke.

MR. LINDSAY said, he wished to inquire whether a general Bill, with reference to manning the navy, would be introduced before the House was asked for a grant of money.

LORD CLARENCE PAGET said, that it was impossible for the present Board of Admiralty to go into details with respect to this important measure between this and next Friday, when he proposed to bring in the Navy Estimates, but as soon after that date as possible the Admiralty would be prepared to introduce their Bills on the subject to the House.

MR. LINDSAY said, in that case he wished to give notice that upon the question of going into Committee on the Naval Estimates, he should propose that no grant of money should be made until the House had an opportunity of discussing a Bill having reference to the recommendations of the Royal Commissioners for the better manning the Navy.

THE REFORM BILL.—QUESTION.

MR. EDWIN JAMES said, he rose to ask the First Lord of the Treasury whether it was the intention of Government to introduce any Bill to amend the representation of the people in Parliament during the present Session.

VISCOUNT PALMERSTON: I think the hon. Member was not in his place on a former occasion when I had to make a short statement to the House on the business of the Session, and I then took occasion to observe, and I now repeat that, considering the advanced period of the year and the probable duration of the Session, it was not the intention of the Government to propose any measure to amend the representation of the people this Session.

LAW OF PROPERTY AND TRUSTEES RELIEF AMENDMENT BILL.

SECOND READING.

MR. WALPOLE, in moving that this Bill be read a second time, said that it was a measure which had come down from the House of Lords, where it had received the fullest sanction of the law Lords, and it was of extreme importance that it should be speedily passed. The details of the Bill were of so technical a character that the House would hardly wish to got into them on the second reading; he therefore proposed that the Bill should now be read a second time without discussion, and that the various clauses should be fully considered in Committee on that day week. The hon. Member for Exeter (Mr. Divett) had mentioned that he had some objections to the measure, but he (Mr. Walpole) was satisfied that if the Bill were read a second time, he could remove the objections of the hon. Member, or show that they were groundless.

Mr. DIVETT said that he was quite prepared to take the discussion of the points on which he objected in Committee.

Bill read 2° and *committed* for Monday next.

CRIMINAL JUSTICE MIDDLESEX (ASSISTANT JUDGE) BILL.

SECOND READING.

Order read, for resuming adjourned Debate on Question [17th June], "That the Bill be now read a Second Time."

Question again proposed.

Debate *resumed.*

Mr. LOCKE KING said, that when the Bill came before the House two or three weeks ago, he moved the adjournment of the debate, because he felt that in the absence of a Government the second reading of such a measure ought not to have been urged with indecent haste. It seemed to him that this was an attempt to tax the whole of the country for the purpose of paying the Middlesex Assistant Judge, who was neither more nor less than a paid chairman of quarter sessions, a higher salary than he had at present. If any county chose to have a paid chairman of quarter sessions, the expense came out of the finances of the county and not out of the Consolidated Fund. He did not see why an exception should be made for Middlesex. He did not at all object to increasing the salary of the Middlesex Assistant Judge from £1,200 to £1,500 a year, but he objected to the burden which ought to be borne by the rich county of Middlesex, being thrown on the country at large. Let the county of Middlesex pay the increased salary and not the country. If they passed this Bill they would be forming a most dangerous precedent, for they might depend upon it they would have as a consequence all the County Court Judges and many others in England applying for an increase in their salaries. He would remind the House, that in 1853 a similar attempt was made to increase the salary of the Middlesex Assistant Judge, and the Bill was only thrown out on the third reading at the instance of his hon. Colleague, and no attempt had since been made to introduce it until now. While, however, he did not object to an increase of the salary of the present Assistant Judge if it were made out of the county funds, he could not help remarking that during the whole tenure of the office by his lamented friend the late Mr. Pashley, who had worked harder and had, in consequence of his being so good a lawyer, more appeals to decide than any one who had ever held the office, no attempt to increase the salary was made. In conclusion, he begged to move that this Bill be read a second time that day six months.

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question proposed, That the word "now" stand part of the Question.

Mr. SOTHERON ESTCOURT said, that he was the individual who introduced this Bill, and he quite admitted that the present Government were in no way responsible for it. The House would, perhaps, permit him to remind them what were the circumstances under which the late Government thought it fair to sanction this increase in the salary of the Assistant Judge of the Middlesex sessions, from £1,200 to £1,500 a year. On the decease of the late Assistant Judge, he, as then holding the seals of the Home Office, received from the magistrates very urgent remonstrances, which were confirmed and strengthened by other gentlemen, against the policy of allowing so important an office as Assistant Judge to be held by a practising barrister. It was urged that it was treating that gentleman unhandsomely and often placing him in a somewhat degrading position. On one day he sat to determine a case, when the very day following he was in the position of an advocate, and liable to be called upon to advocate the cause in a higher court of the very person condemned by him; and although he (Mr. S. Estcourt) did not pretend to be conversant with law, that struck him as such a strange anomaly, that he could not help thinking, as a matter of common sense, that a gentleman who during many months in the year was engaged week after week in presiding in one of the courts of criminal jurisprudence in the metropolis, ought no to devote himself to the profession of an advocate the rest of the time, but ought to be in such a position that he could not be called upon to appear as an advocate in a superior court. The hon. Gentleman on the other side of the House, however, was not quite correct in his statement of the grounds on which the attempt to raise the salary of the Assistant Judge in 1853 was met. The question had now assumed a very different form to that which it presented in 1853, when the question was simply raising the salary of the Judge without changing his position or putting any restriction whatever upon him. The Judge would still have been allowed to practise in superior courts, and if the case had been the same now, the objection taken to the Bill would have been a valid one, and the argument that the county court Judges might with reason apply for an increase in their salaries would be just. What he, however, maintained was, that there was a good and sufficient *quid pro quo* given in the condition that the Judge should no longer practice as an advocate at the bar of a superior court. As he understood the gentleman holding the office at present was willing to give up his practice, which was estimated at a low figure at £1,000 a year—he was willing to give that up, and devote his whole time and energies to the office of a Judge, if the House of Commons granted £300 more; and he (Mr. Estcourt) really thought that by consenting to that proposition he was obtaining a very great benefit to the country at an extremely cheap rate. For that reason he had no kind of hesitation in bringing forward this Bill, and he hoped that the Government would support it, looking at the wide difference which the case presented to that brought in in 1853.

MR. LOCKE KING said, he must repeat that he did not object to the increase of the Assistant Judge's salary, but to the increase being paid out of the Consolidated Fund.

MR. ALCOCK said, he should support the Amendment, as he considered the principle of the Bill to be altogether anomalous, and he hoped the attention of the Chancellor of the Exchequer would be aroused to the dangerous precedent which passing it would create. In all other places, such as Liverpool and Birmingham, in which they had stipendiary chairmen of quarter sessions, the money was paid by the county, and why should not this salary be paid by the county of Middlesex? Some time ago the Surrey county magistrates were met by a similar demand, but they had avoided it and got on very well. It was not the increase of the salary that he cavilled about, but it was the principle of the measure to which he objected.

MR. MALINS said, he considered the arrangement which had been made by his right hon. Friend (Mr. Sotheron Estcourt) eminently beneficial to the country. The late Assistant-Judge, Mr. Pashley, was eminently fitted for the office, but its duties clashed with his practice at the bar, which was very considerable. The consequence was, that he was frequently very much inconvenienced, and he himself had told him that there must, in many cases, inevitably be a contest between interest and duty in the breast of a Judge who was also a practising barrister. Twelve hundred pounds a year was not sufficient to call upon a person in the situation of Assistant-Judge to give up practice; and however anxious a Judge might be to discharge his duty, it was perfectly vain to deny that if on any particular day on which his Court sat, an important cause in which he was retained as chief counsel was coming on in the Superior Courts, there would not be a contest between interest and duty which could not fail to be very injurious to the public service. The hon. Member (Mr. Locke King) however did not object to the amount of salary but to the fund out of which the salary was paid. But this argument went too far, because if an error were made in originally ordering the payment of this salary out of the Consolidated Fund, the hon. Member ought to move that the salary be taken off that Fund and paid from some other source. If, however, it were found that the duties could not be performed for £1,200, public justice and convenience alike required that such a salary should be paid as would insure the efficient and proper discharge of the duties of the office. With regard to Mr. Bodkin, every man in the profession would admit that, from his peculiar experience and high character, a fitter selection could not have been made. He believed that the learned gentleman was offered the appointment by the right hon. Gentleman (Sir George Grey). He had but a slight acquaintance with Mr. Bodkin, but he had, like every other lawyer, the most profound respect for him. Mr. Bodkin had given up his private practice to accept this appointment, and he had every reason to suppose that an arrangement proposed by the Home Secretary would be adopted by the House. He was willing to consider, at the fitting time, whether it was proper that this salary should be paid out of the Consolidated Fund, but he trusted that the House would ratify what his right hon. Friend had done by passing this Bill.

Mr. W. WILLIAMS said, that fourteen years ago, this officer was the Chairman of the Middlesex Quarter Sessions. The office was then contested for the honour of holding it. Mr. Serjeant Adams was the first who applied to the magistrates of Middlesex for a salary. They refused to grant it, and he then applied to the Secretary of State for the Home Department. For himself, he thought £1,200 a sufficient salary, though he did not wish to disturb the present arrangement. He certainly thought. however, that the salary ought to be paid by the county. During Serjeant Adams' tenure of the office, Bills were brought into the House three times for the increase of the salary to £1,500 a year, and each time the Bill was thrown out, but he continued to hold the office for years after to the satisfaction of the public. The late Assistant-Judge, Mr. Pashley, never thought of applying for an increase of salary. He was glad to see the Chancellor of the Exchequer in his place, and he would take the opportunity of calling his attention to the fact that before the passing of the Reform Bill the Civil Service Estimates amounted only to £4,200,000 a year, and that now they amounted to £9,100,000. The Question never came before the magistrates of Middlesex.

Mr. SOTHERON ESTCOURT observed, that the Middlesex magistrates expressed to him their desire that the Assistant-Judge should not retain his private practice.

Mr. W. WILLIAMS said, it never appeared on the business paper. He dared say some of the political friends of the Assistant-Judge wished to increase the salary, but it was better for that gentleman that he should be able to earn £1,000 a year by his practice, than to have his salary increased by £300 a year, and to be idle half his time. The Judges of the County Courts had a great deal more to do, and they were not allowed to practise.

Mr. BYNG said, he could corroborate the statements made by the right hon. Gentleman (Mr. Sotheron Estcourt). He had received a communication from the chairman of the Middlesex magistrates, showing that the administration of justice in the Metropolitan county was much less expensive than in other counties. For example, it appeared that, in 1856, the number of prisoners tried at various borough sessions was 3,774, at an average cost of £8 10*s.* each case, while the number tried at the Middlesex Sessions was 2,065, at an average cost of £2 3*s.* 10*d.* each case, and at various other County Quarter Sessions the cost of each case, was £10 1*s.* 4*d.* Unless the Assistant-Judge were prevented from taking private practice, it might happen that he would be found engaged as an advocate in appeals made from his own decision. These appeals were necessarily large, varying from £60 to £80 and £100 a year. He thought that an addition of £300 a year to the salary of the Judge, in lieu of private practice, was not an excessive compensation, and he believed that the proposed arrangement would be advantageous to the impartial administration of justice.

Mr. PACKE said, that as it had been stated that this salary ought not to be paid out of the Consolidated Fund, but that the Middlesex Assistant-Judge should be paid in the same way as the chairman of other Quarter Sessions, he wished to observe that the county rates were in no way chargeable for the payment of any chairman of Quarter Sessions, and he thought it desirable that the statement he had alluded to should not go forth uncontradicted.

Mr. EDWIN JAMES said, he thought that the House would cordially agree to the principle of the Bill; that the gentleman filling the office of the Assistant Judge of Middlesex Sessions should not practise as an advocate. Any contrary course would be prejudicial to the public interests; for a Judge one day associated on the bench with the magistrates of the county might on the next day have to apply to them for a license for a victualler; or a case might be put to him for his opinion as counsel, and afterwards the same case might be argued before him as Judge, and he might possibly be obliged to pronounce an opinion as Judge contrary to the opinion he had given as counsel. With respect to the amount of salary he thought no lawyer in that House would express an opinion that any Judge was over paid, but with regard to payment out of the Consolidated Fund, he believed it originated in this way—the Middlesex magistrates applied to have their Judge paid out of the Consolidated Fund, and the Home Office said that in that case it must have the appointment. That was agreed to, and so the matter had gone on ever since. He did not think the payment of £1,500 to a gentleman of eminence too much, and he should therefore vote for that sum. But the House should know that that sum was not the whole amount required for the administration of criminal justice at Middlesex Sessions. The Assistant Judge had a right to appoint a deputy, with the sanction of the Home Department, at five guineas a-day. That deputy was almost permanently appointed. He did not object to that; because the sitting of two Courts diminished the expense of prosecutors and witnesses; but the House must not suppose that this sum was the whole expense. There ought to be some provision in the Bill in respect to this point, for if the principle were good that the Assistant Judge should not practise, it surely followed that the deputy, too, should not practise.

SIR GEORGE LEWIS observed that when the present Bill was brought in a previous Resolution was not moved, as was usually the case when charges were made on the Consolidated Fund. Consequently, the material clause was only printed in italics, and was not in fact, at present, part of the Bill. Therefore, in voting for the second reading, no Member gave a vote for any charge on the Consolidated Fund; and the only point the vote would decide would be the proviso that the Assistant Judge during his continuance in office should not practise as a barrister. The question as to placing the increase of salary on the Consolidated Fund could only be raised after the second reading, in the event of a Resolution being proposed as a necessary preliminary to the introduction of such a clause as was now printed in italics. He would now say a few words with respect to the merits of the Bill. In 1844 a Bill was brought in to give a salary to the Assistant Judge of Middlesex Sessions of £1,200 out of the Consolidated Fund. That Bill was sanctioned by Parliament and the sum had been annually paid since that time. Nothing, however, was then said as to the Assistant Judge not being permitted to practise; and the Assistant Judge was allowed to hold his office concurrently with any private practice he might receive. Mr. Serjeant Adams was the first Assistant Judge. That learned gentleman did not, in fact, practise, and therefore the question of the inconvenience of allowing the Judge to practise, did not arise during his tenure of office. Mr. Pashley, however, had a considerable amount of private practice when acting as Judge, and considerable inconvenience was felt, he was informed, from the combination of the two functions; for it was open to any solicitor to lay before the Assistant Judge a case of appeal without a name, and thereby to obtain the opinion of the Assistant Judge, by which he might be guided in bringing an appeal or not. Any one could see that such a practice might lead to considerable abuse without any blame attaching to the Judge. Under these circumstances, when Mr. Pashley died, a deputation from the magistrates of Middlesex went to the right hon. Member for Wiltshire (Mr. Southeron Estcourt) and represented to him the expediency of putting an end to such a state of things. The arrangement agreed to was that the right hon. Gentleman should propose an increase of salary to the extent of £300, to be paid out of the Consolidated Fund. Mr. Bodkin, who he believed was admitted on all hands to be an eminent barrister, fully competent to discharge the duties of the office, accepted the office on the understanding of receiving £1,500 a year and giving up his private practice. That was the existing state of things. There was a distinct contract with Mr. Bodkin, which he felt to be binding on the existing Government. He had had an interview with Mr. Bodkin, and had ascertained the views he entertained with respect to the office and its duties, and the proposal he had to make to the House was that the salary of £1,200, payable out of the Consolidated Fund, should still continue. He expressed no opinion whether it was right that that sum should be charged on the Consolidated Fund. The charge was made in 1844, and continued ever since, and he was not now called on to express an opinion with respect to it. With respect to the future, he proposed that power should be given to the magistrates, if they thought it desirable that their Assistant Judge should be inhibited from private practice, to charge the county rates with an addition to his salary of not less than £300 a year. That was the arrangement to which Mr. Bodkin consented. Therefore, if his hon. Friend (Mr. L. King) was satisfied with this explanation, he would suggest that the Amendment should be withdrawn and the Bill allowed to be read a second time. He would then undertake to propose in

Committee clauses in conformity with the understanding come to.

Mr. CRAUFURD said, that the explanation of the right hon. Gentleman removed the objection with regard to the financial portion of the Bill; but there was another point worth remarking on, namely, the relative positions of the Assistant Judge under the Bill and of the County Court Judges. The latter had to give up all private practice, and could not hold a seat in that House and he thought if £1,200 was deemed sufficient for them, that sum might also be considered quite enough for the Assistant Judge of the Middlesex Sessions. Again, the principle of preventing a Judge from pursuing his private practice, if good for one case, was, in his opinion, good for all, and a Bill should be brought in to prevent Recorders from practising as Barristers. He admitted that the recent appointment to the Assistant Judgeship of Middlesex Sessions was one of the best appointments, but it was matter of question whether that functionary was not amply paid with £1,200, considering that police magistrates were only paid 1,000 a year.

Mr. HENLEY said, he was glad to hear that the Home Secretary did not intend to extend the principle involved in this Bill beyond the County of Middlesex, or to allow any further pull out of the Imperial Exchequer. Indeed he could not understand on what ground the Assistant Judge for Middlesex should be paid out of the public funds, any more than the stipendiary magistrates of Manchester, Liverpool, or other towns. He assented to the second reading of the Bill on the understanding that by so doing he merely expressed his approval of the principle which, he believed was laid down by this Bill, that the Assistant Judge should not engage in private practice. After what had been stated by the hon. and learned Gentleman the Member for Marylebone, (Mr. E. James), however, he thought that the House should receive some further explanation in Committee. It was stated that the Assistant Judge appointed a deputy Judge at five guineas a day, and that this office was a great advantage. Well if that be so, they ought to receive some explanation why the assistant Judge should receive at the rate of ten guineas a day for the 120 days he sat when the deputy Judge only received five guineas a day. These were matters, however, which could be better considered in Committee.

Sir George Lewis

Mr. PALK said, he thought this Bill might establish a precedent which it would not be desirable to adopt; for if the magistrates of Middlesex were empowered to increase the salary now paid to the Assistant Judge of the sessions out of the county rate, a similar power might be demanded by the magistrates of other counties. At present he was not aware of any county in which the chairman of quarter sessions was paid by a county rate. The measure was, in his opinion, calculated to increase the discontent of the ratepayers, who already objected to the magistrates having the power of burdening the county rates with the salaries of certain officials.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Friday.*

DIPLOMATIC PENSIONS.

LEAVE. FIRST READING.

Mr. MONCKTON MILNES, in moving for leave to bring in a Bill to remove doubts as to the qualification of persons holding diplomatic pensions to sit in Parliament, said its object was merely to enable gentlemen who possessed extensive diplomatic experience to occupy seats in the House, and afford the advantage of their knowledge and sagacity in the discussion of foreign affairs. He believed that the objections which prevented gentlemen in the receipt of diplomatic pensions from sitting in that House were merely of a technical nature, and that their position differed in no respect from that of gentlemen in receipt of official pensions; but he would reserve a full explanation of the principles and details of the Bill, the introduction of which he found would not be opposed, until the second reading.

Leave given.

Bill to remove doubts as to the Qualification of persons holding Diplomatic Pensions to sit in Parliament, *ordered* to be brought in by Mr. Monckton Milnes and Mr. Kinnaird.

Presented and read 1°, to be read 2° on *Monday* next.

RIVER THAMES.

ADDRESS AGREED TO.

Sir MORTON PETO said, he rose to move for the following Address:—For returns from the Metropolitan Board of Works, and from all district boards established under the Metropolis Local Management Act, and from the City (of London)

Commissioners of Sewers, of any and all operations performed by them between the 25th March last and the 18th June, with the object of preventing the occurrence of noisome effluvia from the River Thames, and particularly of the quantities of lime or other deodorizing agents day by day used for that purpose; specifying in tabular form when, where, and to what amount, such agents, or any of them, were respectively employed, and the sums of money expended on or about the use thereof. Tabular returns from the Metropolitan Board of Works and the Board of Conservancy of the River Thames respectively, of the daily or other ascertained quantities of fresh water which have passed into the tideway of the River Thames from the weir at Teddington Lock, and from other principal streams which discharge into the said tideway between Teddington Lock and Chelsea Bridge, and particularly of the daily quantities in the years 1858 and 1859. From all the Metropolitan waterworks companies of the daily quantities of water delivered by them respectively in the years 1858 and 1859. From the Astronomer Royal of the daily quantities of rain fallen at Greenwich, and at any other places within the drainage area of the Thames of which he possesses particulars, and of the daily mean temperature of the atmosphere at Greenwich, and of the water of the river Thames. From the Medical and other officers of Her Majesty's hospital ship *Dreadnought*, moored in the Thames, of any and all observations and experiments made by them, or under their direction, with reference to the condition of the river in the years 1858 and 1859. And returns from Her Majesty's Office of Works, and from the Metropolitan Board of Works, of any communications, resolutions, and measures of the years 1858 and 1859, in reference to the suggested improvement of the River Thames by embanking the same, and by forming low-level sewers within the embanked spaces.

Mr. FITZROY said, he must suggest that some alteration be made in the last paragraph with regard to the Office of Works. They had no returns to give.

Viscount PALMERSTON said, he wished to draw the hon. Member's attention to the paragraph referring to the Astronomer Royal, which omitted to specify any time.

Sir MORTON PETO said, he wanted the return for the last three years.

The Address, as amended, was then *agreed to.*

RIVER THAMES' PURIFICATION.

METROPOLIS. LEAVE REFUSED.

Sir MORTON PETO said, he would then, pursuant to notice, ask leave to introduce a Bill to provide for the prevention of the noisome effluvia from the River Thames within the metropolis. He believed there was no opposition to his Motion, and he would therefore reserve his statement as to the details of his measure until the second reading. He wished, however, to observe that in bringing in his Bill he did not mean to reflect upon the Metropolitan Commissioners, but he felt that the House had a right to demand periodical returns of what was doing by them from time to time to remedy the effluvia from the river, which was not only noisome in itself but destructive to the health of the metropolis. He was sure that from the simple and practical nature of his Bill no body of men like the Metropolitan Commissioners, in the performance of duties for which the public should feel grateful, could for a moment object to its introduction.

Mr. SOTHERON ESTCOURT said, he did not rise for the purpose of objecting to the Bill, but to submit as this was a matter of general interest, that it would be very satisfactory to the House if the hon. Member would favour them with at least a sketch of what he proposed to accomplish by the measure. A very few words would satisfy his own curiosity; but for the sake of the House, he thought that an outline of its provisions ought to be given.

Mr. SPEAKER said, that the hon. Member had already spoken on the Bill, but the House could of course give him permission to make any additional observations.

Sir MORTON PETO said, he was quite ready to state that the Bill required the Metropolitan Board of works, and the various district boards, to make a monthly return of all they had done or were doing in regard to their sewage operations, and in placing the River Thames as much as possible in a proper condition. It might be said that those returns could be made without any compulsory enactment; but he felt that the matter was so important, and that the sanitary condition of the metropolis was so largely affected by the state of the river, particularly during the period of the carrying out the larger works, that they would not be acting properly towards their constituents if they did not insist upon the obligation of the Commissioners to make their returns monthly. He did not mean to insist upon the Commissioners adopting any particular mode in their course of action; but it rendered the continuous deodorization of the contents of the sewers imperative. His Bill would not at all fetter the Metropolitan Commissioners in the measures which they might adopt—the responsibility would of course be left with them; but he wanted it to be shown that they were doing, as there was reason to believe, everything in their power to remedy the evil which was so greatly complained of. He had introduced a clause into the Bill giving them increased powers of taxation in case those which they already possessed were not sufficient with a view of enabling them to carry out any works that they might decide upon; and, of course, if their powers were sufficient, this clause would be inoperative. In the event of its proving that the state of the Thames did not require those measures to be carried out, he had also provided that, on communication with the Home Secretary, the powers with which they had been invested should be dispensed with. These were the main features of the Bill; and he repeated that in introducing it he had no desire to interfere with the Metropolitan Commissioners, or in any way to impute to them a dereliction of duty.

Lord JOHN MANNERS said, after hearing the statement of the hon. Gentleman who had introduced the measure, it had occurred to him that the title which he had applied to it was rather a misnomer. It did not appear to be, as it professedly was, "a Bill to provide for the prevention of noisome effluvia from the river Thames," but a Bill to ask the Metropolitan Board for returns which nobody would ever look at. He would not offer any opposition to the introduction of the Bill, but he wished to enter a *caveat* against the supposition that he acquiesced in the system of legislation which the hon. Gentleman appeared to contemplate.

Sir JOHN SHELLEY said, the returns which his hon. Friend was anxious to obtain from the Metropolitan Board would doubtless be of a very expensive character, and he trusted that if the House agreed to the Bill they would also be induced to pay for these returns; for, as they were aware all the cost of their preparation, as well as of everything relating to the purifying of the Thames, would otherwise be thrown on the inhabitants of the metropolis. Then, as regarded the power of rating, he believed his hon. Friend would find in the Metropolitan Local Management Act that ample power was given to the Commissioners. Any legislation on that subject, therefore, was quite unnecessary. He must protest, however, against the last observation which the hon. Baronet had made, to the effect that if the Metropolitan Board were doing anything which Parliament did not think right, or if they had done too much, that the Home Secretary was to have the power of stopping their proceedings. The object of the Metropolitan Local Management Act was to carry out the principle of local self-government, and they were bound to give the Metropolitan Board time to see whether that principle had been fairly carried out by them. He must, therefore, protest against the Government having anything to do with measures which were paid for by the inhabitants of the metropolis.

Mr. TITE said, he wished his hon. Friend in his Bill had been fortunate enough to suggest some remedy for the gigantic evil against which the Board of Works had to contend. He would not discuss the provisions of the Bill, because, by a measure which the House had been good enough to pass last year, the Board had received the fullest powers of raising money, and therefore that portion of the Bill which referred to this subject was quite unnecessary. But the subject to which he desired to call the attention of the House was the steps that had to be resorted to pending the interval that must elapse before the improved sewerage system would come into operation. Last year no less than £5,000 had been spent in remedial measures, and this year they had spared no efforts to diminish the mischief arising from the state of the Thames, but which could only be cured by the great system of intercepting sewers which they were endeavouring to carry out. With regard to the contracts and the purchase of land for those sewers, he believed so much progress had been made that he might promise the House that a great deal of the evil would be remedied in the course of three years instead of five. One large sewer contract made in February of the present year was one-fifth completed. That was the high level sewer on the City side; and on the Surrey side of the river another very large sewer was just about being contracted for. The first sewer would no doubt be finished by next June; it was in the quarter known as the Hackney Brook district, which was the source of enormous offence, and which would by this means be altogether removed. In his opinion the entire project was being carried out as successfully as it could possibly be by a set of business men. With regard, however, to the evil in its present shape, it was impossible successfully to encounter it. Some idea of its magnitude might be formed from the fact that apart from flood water 80,000,000 gallons of sewage water were poured into the Thames every day, containing 600 tons of mud or 200 tons of solid material. In hot weather this water was not only in a state of putrefaction itself, but was the source of putrefaction in the body into which it was poured. The Metropolitan Board had appointed two of the most eminent chemists in London Dr. Hoffman and Mr. Frankland to inform them of the best mode of deodorizing the sewage with regard to future operations. To meet the present evil they had appointed one of the most distinguished men in London, Dr. Miller, the chemist to the University of London, to report daily on the state of the river and the large sewers which emptied themselves into it. The Board had at the present moment thirty stations at which lime might be poured into the largest sewers; and they were doing all they could to deodorize their contents before they reached the river. In the present state of our knowledge he believed that deodorization by lime was all that could be attempted; but Dr. Miller was engaged in a series of experiments for the purpose of discovering whether other agents, more powerful though more expensive, might not be used for temporary purposes. However enormous the inconvenience might be, he was bound to state that no effectual remedy could be applied until the sewage system was completed; but he was endeavouring to show—thongh not in the least seeking to be the apologist of the Metropolitan Board—that they were doing all in their power to meet the difficulty by remedial measures. The House would recollect that the inconvenience did not manifest itself prominently before a much later period last year; but in May of this year the Board passed a resolution empowering Dr. Miller to make the experiments he had alluded to; and they had, in addition, proceeded vigorously with the operations which he had described. He was aware that an opinion to the contrary was prevalent, but he maintained that the aggregate amount of inconvenience must have been sensibly diminished by the measures which they had adopted. He ventured to promise the House that no agent which could be suggested—and in Dr. Miller's report last week agents had been suggested—for deodorizing the sewers would fail to be employed by the Board, whatever might be the cost to the ratepayers, because though, as was stated by the hon. Baronet, the expense must fall upon them, there was no doubt that until the main sewers were completed the state of the atmosphere might get worse. He hoped the House would feel satisfied that the Board were doing all in their power; and with regard to the Bill, he would only say that any legislation at present must delay, embarrass, and, to a certain extent, confuse their operations by leading to the impression that they were not doing all that they possibly could. With regard to the monthly returns, he could simply state that, if his hon. Friend required it, the Home Secretary should have a Return every fortnight, detailing the work done now or at any future time. The Metropolitan Board were but too anxious that their fellow-citizens should know that at a moment of extreme difficulty they were doing all that they could to abate this enormous evil.

MR. ANGERSTEIN said, he wished to ask a question in reference to a report which was current to the effect that this high level sewer was to discharge its contents into Deptford Creek. He was quite sure the House would not take a narrow view of the question of the health of the metropolis, and that they would be unwilling to expose a large portion of a metropolitan district to so serious an evil as that of discharging so large a quantity of sewage matter without deodorizing it, as he understood would of necessity be the case with the high level sewer. The question which he would venture to put to the hon. Gentleman was whether it was the intention of the Board to carry out the high level sewer at once, or whether they would consider the outfall first, and begin in the way that would be most complete, and which would conduce most to the general health of the metropolis.

MR. M'CANN said, there had been a great many statements as to the good which was to result from the use of lime in deodorizing the sewers. But on Saturday night the smell that proceeded from the place where lime was put down at Charing Cross for the purpose of deodorizing the sewers was most objectionable, and was worse, in fact, than anything he had before experienced in London. It continued during the whole night, and he could assure the House that it was exceedingly offensive in every room in Morley's Hotel. He did everything he could to ascertain the reason, and somebody told him that the sewer into which the lime was put must have been left open.

Mr. RIDLEY said, that the best return which could be made to the House as to the state of the river was the stench which entered the Committee rooms. That morning, he, as well as his colleagues, were greatly inconvenienced by the noxious effluvia that came from the river on the rising of the tide. It was so disgusting that they were obliged to keep the windows closely shut, and some Gentlemen were compelled to leave the room in consequence. If it continued it must endanger the health of hon. Members as to his knowledge had been the case last year.

Mr. CONINGHAM said, he was of opinion that the expensive experiments upon deodorizing the river were almost worthless. No permanent benefit would, in his opinion, result from them; neither did he approve of the system of drainage, which was, in his opinion, founded upon a wrong principle.

Mr. JOHN LOCKE said, he was the only Member who last year objected to the measure proposed in a great hurry by Her Majesty's then Advisers for the purpose of handing over all responsibility connected with the river to the Board of Works, and he now asked what had since been done by the Metropolitan Board of Works. The Board diverted every stream of water that was not particularly offensive from the Thames, and carried it off to some place far away below London Bridge. By this means they reduced the stream of water, and the filth carried into the Thames by the sewers was left to stagnate much worse than before. He had not yet been able to discover the utility of this Metropolitan Board of Works.

Mr. DARBY GRIFFITH said, he had made inquiries as to the smell complained of by the hon. Member for Drogheda (Mr. M'Cann); and he found from the men employed in superintending the lime operations that it answered very well so long as it was kept at work; but on Saturday they left off pouring in the lime water. It appeared to him that no plan of main drainage would answer unless the river was also embanked, and the area of the water greatly compressed. It was found that the smell was worst when the tide began to disturb the mud banks; a circumstance which showed that the removal of those banks was even more required than new drains. At any rate the two processes ought to go on together, but it was not competent for the Board under their present powers to embank the Thames.

Alderman CUBITT said, the Board of Works had been proceeding with all possible despatch ever since they had received their new powers; but it must be remembered that those powers were not conferred upon them till late last Session, and that time was needed to prepare their plans. All that was now required was a little patience; for it was impossible that great works like these could be carried out in a few months. He hoped, however, that in three or four years the scheme would be completed, and that the noxious effluvia of which they had now to complain would be removed. He begged to state with reference to the high level sewer that it was never intended that it should empty itself into Deptford Creek. The Board had merely taken Deptford Creek as a point to which it should be constructed until proper machinery could be constructed to convey the sewage lower. As to the smell at Charing Cross on Sunday, that had arisen from the sewer having been accidentally left uncovered.

Question put, "That leave be given to bring in a Bill to provide for the prevention of noisome effluvia from the River Thames within the Metropolis," Motion *negatived.*

PICTURE GALLERIES.

ADDRESS MOVED FOR.

Mr. COWPER said, he rose to move for an Address for Copies of all letters and memorials addressed to the Committee of Council on Education or the Trustees of the National Gallery with reference to the admission of the public in the evening to the Turner and Vernon Galleries of Pictures, and of the answers thereto. Three collections of modern pictures had lately been given to the nation, and policy as well as gratitude required that they should be made accessible to all classes. The

Sheepshanks' collection which had been entrusted to the Department of Science and Art, was placed in a room well adapted for exhibition by night as well as by day; but the Turner and Vernon collections were placed by the Trustees of the National Gallery in rooms where no provision was made for exhibiting them by artificial light. It was especially incumbent on that House, when a generous boon had been conferred on the public, to see that the wishes of the donors were faithfully carried out and that the public were insured the enjoyment of it to the fullest possible extent; and he contended that a picture gallery, to be really enjoyed by the public, must be accessible in the evenings. Large numbers of people were in the habit of visiting the Sheepshanks' collection in the evening,—probably as many as 200,000 in the course of a year. These persons, and especially artisans and workmen, would be prevented from seeing pictures which were visible only during working hours. Busy people worked in the daytime, and sought their recreation in the evening. Persons visiting the metropolis on business had no other time than the evening for visiting these galleries. One reason assigned on the part of the Trustees of the National Gallery, for not opening the Vernon and Turner Galleries in the evenings was, they must follow the same rule as the National Gallery. But the desired similarity might be secured by opening all, as well as by closing all. He did not believe, in the present state of science, the slightest risk could arise from lighting the National Gallery with gas from the ceiling. The House had only to lift their eyes to the ceiling above them and see how easy it was to light a lofty and spacious apartment without any of the products of combustion entering into the room. Such an arrangement, applied to the National Gallery and to the Turner and Vernon Galleries, would, no doubt, involve some additional expense, but he was sure the House would find no difficulty in devoting a reasonable sum of money to secure to the public the benefit of a full access to them. The advantage of thus diffusing a taste for beauty of form and colour, and of providing gratuitously a rational and elevating amusement would be quite worth the cost of the gas. The Trustees of the National Gallery were persons eminent for love of art and liberality of feeling, and he could not believe they would advisedly exclude the working classes from the enjoyment of these pictures. They had probably not fully considered the reasons for departing from the old customs; and if these papers were laid upon the table the attention of the Trustees would be specially drawn to the injudicious manner in which the trust confided to them was being discharged.

Motion *agreed to.*

CLERK OF THE COUNCIL.

LEAVE. FIRST READING.

MR. LOWE said, he also had to move for leave to bring in a Bill to provide for the authentication of certain Orders of the Privy Council in the absence of the Clerk of the Council in Ordinary. It was not the intention of the Government to fill up the vacancy in the clerkship of the Privy Council occasioned by the resignation of Mr. Greville; but it was necessary to take some step to prevent the stoppage of public business in case the remaining clerk should become incapacitated. The Bill would enable Her Majesty to appoint, during Her pleasure, some person to perform the duties of the Clerk in Ordinary.

Leave given.

Bill to provide for the authentication of certain Orders of the Privy Council in the absence of the Clerk of the Council in Ordinary, *ordered* to be brought in by Mr. LOWE and Sir GEORGE LEWIS.

Presented and read 1°, to be read 2° on *Thursday.*

MILITARY ORGANIZATION.

COMMITTEE MOVED FOR.

MR. SIDNEY HERBERT said, he rose to move for a Select Committee—

To inquire into the effects of the alterations in military organization regarding the War Office and Board of Ordnance which were made in the year 1855; and also to inquire whether any changes are required to secure the utmost efficiency and economy in the administration of military affairs.

COLONEL DUNNE said, that he had given notice of a somewhat similar Motion, but, as the subject was now in better hands, he should withdraw it. The object of his Motion was merely to inquire into the civil organization of the War Department, which was in such bad order and so unworkable that it would be impossible to go to war until it was altered. He did not wish to interfere with the prerogatives of the Crown or the administration at the Horse Guards, but merely to secure the efficiency of the civil department of the War Office.

General PEEL said, that he could not agree to the description of the state of the War Department given by his hon. and gallant Friend. It would be better if his hon. and gallant Friend had waited for the Report of the Committee before he made such statements. If the country were obliged to go to war, he believed the War Office would be found to be in the best possible condition for performing their duties to the public satisfaction.

Mr. HORSMAN said, he wished to suggest that at this late period of the Session it was not likely the Committee could terminate their inquiry in any satisfactory manner. Was it worth while, then, to appoint the Committee during the present Session?

Captain JERVIS said, he believed that the Secretary for War might make any ameliorations and improvements without waiting for the Report of the Committee.

Mr. MONSELL observed, that he perfectly agreed with the right hon. Member for Stroud (Mr. Horsman) that it would be well to postpone this Committee until next Session. The subject was very large and of the greatest importance, and a Committee appointed on the 8th or 10th of July could not go fully or sufficiently into it. It would be impossible for them to do more than commence their inquiry, and all they would be able to elicit would be the existing state of the Department. Seeing that there would not be time to hear the well-considered views of persons on both sides who were competent to give an opinion, he recommended that the Committee should begin to sit at the commencement of next Session.

Mr. SIDNEY HERBERT said, he must acknowledge that the arguments of his hon. and right hon. Friend in favour of a postponement had had a contrary effect upon his mind. It was because the subject was very large and of great importance that he wished the Committee to begin immediately, that they might the sooner come to a conclusion. He did not hope or expect that the Committee would finish their labours this Session, nor did he propose that they should come to a conclusion upon insufficient evidence. But he was very anxious to know what defects existed in our military administration, in order that he might know what remedy ought to be applied. It was very late in the Session, no doubt, to appoint such a Committee, but they might have at least eight sittings, in which they might examine many important witnesses on each side, and enable hon. Members to come to a mature opinion during the recess. By appointing the Committee at once they might come to a decision, and make a report early enough next Session to enable the Government to act upon their recommendations.

Colonel LINDSAY said, he did not think that the military element was fairly represented in the Committee of last Session. It was not fair that such a Committee should be almost entirely composed of civilians. He agreed, however, that it was desirable they should commence the investigation at once.

Mr. DISRAELI said, he trusted the House would consider the question before they agreed to the proposition of the Government. His own impression was, that we should attain little advantage by appointing the Committee at once. Look at the language of the notice. "Select Committee to inquire into the effects of the alterations in military organization regarding the War Office and Board of Ordnance which were made in the year 1855." Now, the right hon. Gentleman could hardly have had an opportunity of making himself master of the changes which had occurred in the office over which he presided in consequence of those alterations. But, since 1855, very considerable alterations had been introduced by his right hon. and gallant Friend near him (General Peel), and many changes had been ordered which had not yet come into operation. He thought, then, that greater progress would be made if the Committee were postponed till the next Session. He should not, however, press that opinion of his own against any strong opinion that might be entertained by the Government; but he did hope that the Government would well consider, or reconsider, the proposition before the House. With regard to this being a large subject, that therefore no time should be lost, and that there was probably an opportunity of having some eight sittings on the subject during the present Session, this might not improbably lead to the not uncommon, but the inconvenient consequence, of no inconsiderable body of evidence, all of one complexion, being circulated amongst hon. Members before the inquiry was completed. Now, if the Committee were to be appointed, and there were to be only eight sittings, he thought they should examine into the opinions of at least what might be called the two schools on the subject. But considering the large number of alterations which had been adopted since the right hon. Gentleman at the head of the War Department gained his experience in office, the important alterations introduced by his right hon. and gallant Friend (General Peel), together with other changes which, as he had said before, had been ordered, but had not yet come into operation, he thought it would have been as well if those changes had been allowed to be completed before the Committee were called upon to consider them. Again he would repeat that he would not press his own views against any strong notions which might be entertained by the Government on the subject; still his own opinion was a strong one, and if the Committee were postponed till the next Session he thought the House would arrive at a more satisfactory result.

VISCOUNT PALMERSTON said, he thought the weight of argument was in favour of the immediate appointment of the Committee. He had the honour of serving on this Committee before the dissolution, and in their sittings they took a great deal of evidence, which it would be exceedingly important for the House to know. There could during the present Session be, at all events, eight sittings and probably more; and in those sittings they might place on record evidence on both sides, applying to changes which had been made; and with regard to any alterations which the right honourable Gentleman who had recently filled the office of Secretary of State for War might have ordered, and which might be still in progress, the Committee might be re-appointed next Session, and then the inquiry might be resumed and completed. But he hoped that the House would not lose what remained of the Session without commencing the inquiry. To do so might be regarded as shelving the investigation, and he therefore hoped that the Committee would not be postponed till the next Session.

Select Committee *appointed.*

CONTRACTS (PUBLIC DEPARTMENTS).

COMMITTEE MOVED FOR.

COLONEL DUNNE said, he rose to move for a Select Committee to inquire into the principle adopted for making contracts for the Public Departments, and the effect which the present system had on the expenditure of public money. The Committee had already sat several Sessions, and it was desirable that its inquiry should be completed. Already a great mass of evidence had been collected, and he hoped that during the present Session the Committee might conclude its labours.

MR. SIDNEY HERBERT said, he wished to ask the hon. and gallant Member whether he would confine the inquiry to any particular class of contracts. Its object was very extensive; it had sat several years; some of the original Members had disappeared from the House, either by the will of the electors, or by removal to another world; and there was no prospect of the Committee reporting.

COLONEL DUNNE said, he did not propose to extend the inquiry beyond naval and military contracts. As for the Committee reporting, he did not believe they would ever be able to do that; for they could not report until the accounts at Weedon were made up, and he did not believe that any man living could make up those accounts.

Motion *agreed to.*

House adjourned at Seven o'clock.

* * *

HOUSE OF LORDS,

Tuesday, July 5, 1859.

THE AFFAIRS OF ITALY.

NOTICE OF MOTION.

LORD STRATFORD DE REDCLIFFE gave notice of the following Motion for Friday, the 8th instant:—

"That an humble Address be presented to Her Majesty, expressing the Thanks of this House for Her Majesty's gracious Communication of the deeply important Correspondence on Italian Affairs presented recently to both House of Parliament by Her Majesty's Command; and gratefully acknowledging the unquestionable Evidence which that Correspondence affords of Her Majesty's earnest and impartial Endeavours to avert the Calamity of War.

"That Her Majesty may be assured of the loyal Confidence with which this House relies on Her Majesty's Determination to maintain inviolate the Neutrality, as therein declared, of Her Majesty's Dominions.

"That, finally, it be represented to Her Majesty, as the Opinion of this House, That while every suitable and vigorous Effort is made, under Her Majesty's Authority, for the Completion of our Defences on Sea and Land, the Operations of the belligerent Powers should be carefully observed, with a view in particular to such eventual

Offers of Mediation on Her Majesty's Part as may contribute with due Effect to the early Conclusion of Peace on just and comprehensive Terms."

ATLANTIC TELEGRAPH (No. 2) BILL.

THIRD READING.

Moved, That the Bill be now read 3^a

LORD STANLEY OF ALDERLEY called attention to the fact that the preamble recited that certain additional agreements and arrangements had been made with the Government. He had been given to understand that an engagement had been entered into by the late Government to give 8 per cent on a capital of £600,000, amounting to a guarantee of £48,000; while other parties had offered to do it on terms which would not involve an expense of more than £20,000 a year. This seemed an improvident arrangement, and should not have been entered into without the sanction of Parliament.

EARL GRANVILLE said, the late Government were more responsible for the Bill than the present; but, at the same time, he knew of no reason why the Bill should not be allowed to pass, and he hoped, therefore, that the noble Lord would not press his objections to it. He supposed the late Government had been actuated by the consideration that the Company had agreed to relinquish their exclusive right of laying cables on the shores of Newfoundland.

LORD MONTEAGLE thought that a very important general principle was involved in the Bill. Before the Act introduced by Mr. Gladstone when Chancellor of the Exchequer, it was competent for the Government to have paid the expenses of any telegraphic line or packet service out of the gross revenue without applying to Parliament; but that Act had made a considerable alteration in this respect. The late Government, however, he was informed, had entered into a contract by which an expense of £70,000 a year would be incurred on account of the Irish packet service without the assent of Parliament being obtained. He had moved for a paper which he presumed was now before Parliament, which would show that annually a sum of not less than £1,000,000 had been disposed of by Government for contracts of this description, without any approval or any knowledge of Parliament in the first instance. This was a matter which required the most serious attention of the Legislature.

LORD COLCHESTER said, that the noble Lord's complaint had been remedied by a supplementary contract.

EARL GRANVILLE said, he might state for the satisfaction of the noble Lord and the House that the whole subject was under the consideration of the Government, and would shortly be brought before Parliament.

THE EARL OF ELLENBOROUGH asked whether it was true as reported—and he trusted that it was—that the Government intended to establish a telegraphic communication with Gibraltar without the intervention of any company?

EARL GRANVILLE said, the subject was under the consideration of the Government.

THE EARL OF DERBY ventured to urge upon the Government the necessity of an early decision on the subject, as otherwise it would be quite impossible to pass a Bill this Session. The late Government regarded the subject as one of great urgency —so great that they thought it their duty to make provision for the manufacture of a certain length of cable. No steps, however, had been taken for laying down the cables. If Her Majesty's present Government intended to proceed with the work, they ought to do so without delay.

THE DUKE OF SOMERSET said, it was desirable that further information should be obtained on the subject.

Motion *agreed to*.

Bill read 3^a accordingly (with the Amendments), and *passed*, and sent to the Commons.

THE NATIONAL DEFENCES.

LORD LYNDHURST rose pursuant to notice to call the attention of the House to the Military and Naval Defences of the Country, and said,—My Lords, it was suggested to me that, after the discussion which took place the other night on the question of my noble and learned Friend (Lord Brougham), and especially after the statement of my noble Friend opposite and the speeches of my noble friends the two noble Earls on these benches, I should withdraw the notice which I had placed on your Lordships' paper. At first I was inclined to do so; but the subject is one of such great importance that it ought to be repeatedly discussed, in order to satisfy the people of this country of the necessity of submitting to those charges and those expenses which our present situation requires. I was the more disposed to proceed with this question because there is a party in this country—of whom I wish to speak with the greatest respect, a party likely very soon to increase in power and influence—who are not disposed to believe that we ought to expend our resources at present in any extension of our military and naval power, and that, so far from doing so, we ought to abstain from any extension of that power, because by such extension we might involve ourselves in hostilities. Now, my Lords, I beg leave, in the first place, to say that any observations which I shall make will be made, not with a view to aggression, but to defence. I shall say nothing whatever in any party spirit, for party can have nothing whatever to do with this question. I shall endeavour, as simply as I can, to point out those circumstances and those topics which I think are important to be brought under the consideration of your Lordships, leaving it to others who are more acquainted with military and naval details than I can pretend to be to fill up and supply the defects in the statement which I shall make. The first circumstance that strikes one in considering this subject is the great difference between our present and former position. That is a distinction which ought never to be lost sight of. We have hitherto felt the greatest confidence in our situation and in our domestic safety. We owe that confidence to our naval superiority—to the superior number of our vessels, and to the skill and gallantry of our seamen. We have been accustomed always to look to what we call "our wooden walls" as our best defence, and experience has justified us in that opinion. We have sometimes, indeed, received checks and affronts. The Dutch at one time sailed up the Thames, burnt our ships in the Medway, and in the river. At a much later period the combined fleets of France and Spain chased our fleets into the waters of Plymouth, under the heights of Mount Edgecumbe. But those clouds soon passed away. They were amply avenged, and we shone out with more distinguished lustre than before. My Lords, there was another source of our confidence and safety, and not an immaterial one—namely the difficulty of transporting any body of troops from the opposite coasts to our own shores. It was impossible to collect any number of troops on an opposite coast without being observed by us, and without giving us notice and allowing us time to prepare ourselves against them. Besides, an expedition of that kind was necessarily liable to many casualties. Any joint operation, therefore, from different points was impossible, or nearly so. A few thousand troops might, perhaps, occasionally be landed on our coasts, sufficient, indeed, to give trouble, but not sufficient to excite any fear of danger. The greatest force that ever was landed here was that of the Prince of Orange, amounting, I think, to about 14,000 or 15,000 men. But that force was invited to this country by some of the most eminent men in England; it was received with enthusiasm by the people; it led to no catastrophe, and James II. retired from the country the victim of his own bigotry, folly, and tyranny. But that expedition was very nearly defeated by an accident. It sailed down the Channel with a fair wind; when it arrived opposite Torbay a dense fog arose; it passed therefore the place where it was intended to disembark the troops; it was followed by the English fleet; it was therefore in the greatest peril, but on a sudden the fog dispersed, the wind veered round, carried the Dutch fleet into Torbay, and checked the progress of the English fleet. The English fleet shortly afterwards was dispersed in a storm. I mention this to show the accidents to which, under our old system, enterprises of this kind were subject. This was our past situation—a situation of perfect security. What is it now? A great change has occurred. That change arises from the application of steam power to commercial navigation and to naval warfare. What do we know of the effect of that power as applied to naval warfare? We have had no experience of it. No person can venture to predict what will be its effect. I have consulted many officers, both of the army and of the navy, upon the subject, and I have never been able to persuade myself that any one can with any degree of confidence say what will be the result of this great change. I have read in the admirable work of Sir Howard Douglas that military officers in France believe that this change has a great effect upon our naval power, and will reduce it to comparative unimportance. There is one advantage which we hitherto have had in naval combat over our adversaries under the old system—the skill and experience of our seamen, and their knowledge of everything connected with the management of a vessel. Unfortunately, though we have not entirely lost that advantage,—it has greatly lessened under the new system. There is, moreover, a change in the armaments, in the materials, in the construction, and in the form of war vessels. A great facility of boarding arises out of the new system, and numbers, therefore, would have a great advantage. Above all, the new system of manœuvring which must follow this new system is such that it is doubtful what would be the issue of a naval contest. I have stated these points for your Lordships' consideration, because you will be satisfied when you have considered them that we cannot, as heretofore, leave everything as heretofore with perfect confidence to our naval defences. Still, however, and perhaps more so in consequence of what I have stated, it becomes necessary that we should carry our naval machinery and everything connected with it to the highest point of efficiency, and that we should refuse no sums necessary for that purpose. Let me now, my Lords, call attention to what is the actual state of our navy. I will begin by referring to last year. I speak of the spring of last year, and of steamers, which are the only vessels which it is material to consider. Last year we were in this position:—France exceeded us in line-of-battle ships in a small proportion, but she exceeded us in an enormous proportion in steam frigates. At present we surpass her in line-of-battle ships considerably, but we are still greatly inferior in those important vessels, steam frigates. We shall, in the spring of next year, surpass her still more in line-of-battle ships, but we shall still be inferior to her in steam frigates. This is a point for the consideration of your Lordships and for the consideration of the country. Give me leave, my Lords, to mention one circumstance which I think most material for our consideration when we are considering the subject of naval warfare. You will make a great mistake if you suppose for a moment that the relative power depends entirely on the number or size or force of the vessel. A more—I will not say a much more important, but a very important power consists in trained crews of vessels. The French for several years have had a system of training of a most perfect kind—training in the conduct of the vessel, and training not only in the conduct and management of the vessel, but in gunnery. The moment a French ship is afloat and ready for sea, that moment they have trained men ready to go on board her. I am sorry to say, from all I hear and all I observe, we have not such a system as that to which I have referred—a system of the utmost importance, but which in this country hitherto has been almost entirely neglected. Now, with respect to force. What is required, first, in the Channel? We require not only a force for warfare equal to France, but we require something more. We require a powerful reserve. France requires no reserve. The reason is this, and I beg your Lordships to mark it. If in a combat of the two fleets the English fleet should be victorious, we have no power of landing with any effect upon the French coast; whereas, if we have no reserve and our fleet is destroyed in a contest with the French fleet, we are entirely at the mercy of the enemy. We have seen lately what France can effect. Suppose the English fleet defeated and driven from the Channel, the events which have passed almost under our eyes within the last few weeks show the great peril to which we should be exposed from the extraordinary facility with which a military force to an immense amount might at once be landed on our shores. But it is not sufficient for us to have a Channel fleet capable of coping with the country directly opposite to us. Our Channel fleet must certainly and necessarily be of an amount sufficient to cope against any two Powers which may be united against us. We know full well that at this moment the Russians have seven or eight line steamers fitted for sea. If by any accident or by any event—which might easily occur—we should be engaged in a dispute with France and with Russia, we should be in a very unfortunate situation if we had not a naval force sufficient to combat both those Powers. Our naval power is essentially defensive. It is absolutely essential to our security. The naval power of France is not defensive—not necessarily so. It is aggressive in its character. Then, I say, with respect to the amount of the Channel fleet, if we wish to be in a state of security, if we wish to maintain our great interest, if we wish to maintain our honour, it is necessary that we should have a power measured by that of any two possible adversaries. It is not very easy beforehand to say what that power should be; but we must watch events and extend our naval power according to the necessity of the case, and whatever necessity requires, whatever the expense, we must submit to incur that expense. But the Channel fleet is only one part of the force necessary. We must have a fleet sufficient to command

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the Mediterranean. If we have not a fleet sufficient to command the Mediterranean, every one of our strongholds will inevitably fall into the possession of France. Not only would that be the case, but the desire and the wish of the First Emperor to convert the Mediterranean into a French lake would at once be realized. Do your Lordships suppose that that idea is abandoned? Far from it. I recollect very well that when the present Emperor—of whom I wish to speak in terms of respect—made his southern tour, and when he, arrived at Bordeaux, declared that "The Empire is peace,"—I recollect in that progress, when at Marseilles, and about to proceed from Marseilles to Toulon in a fleet of war ships, reference was made to this desire of Bonaparte the first Emperor. Was it repudiated? It was adopted by the present Emperor amid the enthusiastic cheers of the audience assembled on that occasion. But, allow me to say, with respect to a fleet necessary for commanding the Mediterranean, if France has the command of the Mediterranean, what is the inevitable consequence? She will be able to leave and return to the Mediterranean at her pleasure. She will be able to take our Channel fleet in flank at any moment. She will be able to unite her Mediterranean and Channel fleets. She will be able to cross the ocean, and one by one to take possession of our Colonies, and she will be able to sweep the ocean of our ships, and destroy our whole commerce. It is necessary, then, not only to have such a Channel fleet as I have stated, but such a fleet as will enable us completely to command the Mediterranean. Something further is still necessary. We must have a fleet for the protection of the West India Islands. I admit not a strong fleet, nor do I pretend to say where that fleet should be stationed. I must leave that to military and naval persons to determine. There is another point with respect to the Mediterranean. Unless we have the command of the Mediterranean—if we are driven out of the Mediterranean—what is our situation with respect to India? We cannot communicate with India, except round the Cape of Good Hope, while France will be able to communicate by a direct and easy course by means of Egypt and the Red Sea. What would be the result of that state of things I leave your Lordships to imagine. I have thus shortly directed attention to what I conceive to be necessary in reference to a Channel fleet, a fleet in the Mediterranean, and a force for the protection of our colonies and to take care of our commerce. There are one or two points more to which I beg leave to refer. I find by examining the Report of the Commissioners for Manning the Navy, that they recommend a reserve of seamen. That reserve, I consider, should be made immediately, without the least possible delay. It should be so considerable and so well-trained as at any moment when necessary the men might be placed on board any ship, put into commission, well instructed in all the arts of gunnery and the management of a ship. There is another point, my Lords, to which I beg leave also to refer. It relates to a matter of great importance—the efficiency of our arsenals. It is of the utmost consequence that they should be as effective as possible, and that the docks and slips should be of such dimensions as to be adapted to the present size of our vessels. In that respect they are, as yet, greatly defective. There ought to be, also, such a system of machinery as to enable us, at a moment's notice, and with the greatest rapidity, to fit out armaments for our ships of war. These, my Lords, are the observations which I have to offer on this occasion with regard to the naval part of the case. I trust that what I have stated in that respect will meet with your Lordships' concurrence. Of this I am persuaded, that the more you examine the different parts of the subject and investigate the whole, the more strongly will you be impressed with the necessity of incurring the expenditure, whatever it may be, that may be requisite for the purpose of accomplishing the objects to which I have called your attention. But, my Lords, that to which I have been alluding constitutes only one portion of this important subject. Hitherto, as I have already observed, you were, notwithstanding the absence of your fleet, comparatively in a state of domestic safety for the reasons which I mentioned. But what is your position now? In what state would you be if your Channel fleet were dispersed or absent, or from any cause removed for a short time from its proper station? The noble Lord the leader of the other House of Parliament has told you in very emphatic words that steam has converted the Channel into a river and thrown a bridge across it. These are truly emphatic words, but they hardly exceed the reality. They are scarcely exaggerated. Mark, my Lords, the state of things which has been more than once detailed. We know from recent experience that the materials of war may without exciting any observation be placed on board ship on the opposite side of the Channel. We know that in a few hours a large army may by means of railways, and without any notice whatsoever, be brought down to the coast to different points of embarcation. The facility of embarcation is quite extraordinary in consequence of the new provisions made for that purpose by France. We know that such a force as that to which I refer may within a few hours—in the course of a single night—be landed on any part of our shores. With so much certainty, indeed, can the movements of such a body be regulated that from different quarters its component parts might arrive at the point of disembarcation without any difference in point of time. That is the state of things, my Lords, with which we have to deal. You will very naturally ask what probable force could be brought together in the manner I have described. It is not my province to give an opinion upon such a question. Military and naval men are the proper persons to form a judgment with respect to it. I may, however, be permitted to state one or two circumstances which may serve to guide you in arriving at a just conclusion on the point. I know that in 1849, when France sent troops to Civita Vecchia one frigate carried, a distance of 300 miles, 2,000 soldiers with all the munitions of war. I am further aware that a much larger force than that can be embarked for a short period of time on board a frigate, and a force still greater on board a ship of the line. I know from information which I have received, and the accuracy of which I do not doubt, that the French are at the present moment building steamers for the purpose of transporting troops, each of which is being constructed to carry 2,500 men with all the necessary stores. This, therefore, is the description of force which you must prepare yourselves to meet. I do not mean for a moment to say that there is no risk in such an adventure as that against which I would call upon you to be on your guard. No great military enterprise can ever be undertaken without some risk; but I believe from all I have read and heard, and from all the consideration which I have been able to give to the subject, that the risk in the case to which I am adverting is much less than it has been in many instances in which the result has been attended with success. What, then, my Lords, does it become our duty to do? What precautions does it behove us to take? What force ought we to maintain in order to be prepared for any emergency which may arise? My answer is, a force of regular troops—not volunteers—not undisciplined men; but, I repeat, a force of regular troops, capable of opposing any military force which in all probability can be landed on our shores. It is absolutely imperative upon us to maintain such a force. It is a duty which we owe to ourselves. It is a duty which we owe to the character of our country. But, my Lords, independently of all this we must provide for our garrisons, and also for that which is of greater importance still—our arsenals. They are—I regret to say it—at present in a very imperfect state of defence. Much exertion, much expenditure, and much engineering talent will be necessary for the purpose of placing them in such a position as to prevent their being seized upon as the result of a sudden attack. If I am asked what is the force which the safety of the country demands that we should keep up, my answer is, that after consultation with many persons competent to form an opinion on the point, I put down that force at, at least, 100,000 regular troops—and when I say regular troops I include the embodied and trained militia—while I think there should be an equal force of disembodied and trained militia. Every observation, my Lords, which I have made on this subject applies as well to Ireland as to this country. Perhaps the precautions which I have indicated may be even more necessary in the case of the former than the latter. Ireland may possibly be looked upon on the other side of the Channel as one of the "oppressed nationalities;" as a country trampled upon by a nation differing from her in customs, in language, and in religion. We cannot tell what misrepresentations may be made. We must, at all events, my Lords, provide equally for the safety of Ireland as for our own. In the years 1804 and 1805, the only periods, I believe, in which we were threatened seriously with invasion by France, the force which we maintained was much greater than that which I have just mentioned. But that was merely a temporary force; while that which I have just indicated as necessary to meet the existing state of things ought, in my opinion, to form part of the permanent force of the country. If we wish to live in security, to maintain our interests abroad, to uphold the honour of the nation, we must be willing to make every exertion necessary for the accomplishment of an object something like that which I have pointed out. I have experienced, my Lords, something like a sentiment of humiliation in going through these details. I recollect the day when every part of the opposite coast was blockaded by an English fleet. I remember the victory of Camperdown and that of St. Vincent, won by Sir John Jervis; I do not forget the great victory of the Nile, nor, last of all, that triumphant fight at Trafalgar, which almost annihilated the navies of France and Spain. I contrast the position which we occupied at that period with that which we now hold. I recollect the expulsion of the French from Egypt; the achievement of victory after victory in Spain; the British army established in the South of France; and last of all, that great victory by which that war was terminated. I cannot glance back over that series of events without feeling some degree of humiliation when I am called upon to state in this House the measures which I deem it to be necessary to take in order to provide for the safety of the country. But I may be asked, "Why do you think such measures requisite? Are we not in alliance with France? Are we not on terms of friendship with Russia? What other Power can molest us?" To these questions, my Lords, my answer shall be a short and simple one. I will not consent to live in dependence on the friendship or the forbearance of any country. I rely solely on my own vigour, my own exertion, and my own intelligence. Does any noble Lord in this House dissent from the principle which I have laid lown? I rejoice, my Lords, to find that such is not the case. But while this is a matter for congratulation, I regret to be obliged to say that we do not stand well upon the continent of Europe. I do not think late events have improved our position in that respect. But I go further, my Lords, and express my belief, as the result of my own careful observation, that if any plausible ground of difference should arise between this country and France, and that difference should lead to hostilities, the declaration of war with England on the part of the Government of that country, would be hailed with the utmost enthusiasm, not only by the army of France, but by the great mass of the French people. If I am asked, "Will you not rely upon the assurances, and the courtesies of the Emperor Napoleon?" I reply that I have a great respect for that high person, and that I will not enter into any explanation on the subject, but will leave every noble Lord to draw his own conclusions, and to form his own opinions. This, however, I will say, and I can say it without impropriety. If I am asked whether I cannot place reliance in the Emperor Napoleon, I reply with confidence that I cannot place reliance in him, because he is in a situation in which he cannot place reliance on himself. He is in a situation in which he must be governed by circumstances, and I will not consent that the safety of this country should depend on such contingencies. My Lords, self-reliance is the best road to distinction in private life. It is equally essential to the character and to the grandeur of a nation. It will be necessary for our defence, as I have already stated, that we should have a military force sufficient to cope with any Power or combination of Powers that may be brought against us. I know there will be great opposition to the expense. I feel and observe this. But look at the opposite coast. An army of 600,000 men, admirably disciplined, admirably organized, superior to any other force of the same kind in Europe, lies within a few hours' sail of our own shores. That army is composed of brave troops, skilful, well-commanded, eager for conflict, enthusiastic, fond of adventure, thirsting for glory, and, above all, for military glory. That is the Power arrayed against you. I do not ask you to combat that Power aggressively, but only to put yourselves in a state of sufficient defence to resist it. What have we seen within the last few weeks? France, with a peace establishment, with no preparation for war, no desire for war, a nation that could not reduce its establishment because it had never advanced it—so the Emperor told us, and I am bound to put faith in that statement—was yet able in the short period of five or six weeks to transport an army of 170,000 men to the banks of the Mincio, with 200 pieces of cannon, and a siege train, gaining two great battles in its progress, besides other lesser fights, while she has a fleet of fifty war steamers in the Adriatic at this moment, with, I believe, an army of 40,000 men. Cross the opposite coast, then, and you find the power of action, of motion, of hostility, of injury. Are we to sit supine on our own shores, and not to prepare the means necessary in case of war to resist that Power? I do not wish to say that we should do this for any aggressive purpose.

What I insist upon is that we are bound to make every effort necessary for our own shelter and protection. Beside this the question of expense and of money sinks into insignificance. It is the price we must pay for our insurance, and it is but a moderate price for so important an insurance. I know there are persons who will say, "Let us run the risk." Be it so. But, my Lords, if the calamity should come, if the conflagration should take place, what words can describe the extent of the calamity, or what imagination can paint the overwhelming ruin that would fall upon us. I shall be told, perhaps, that these are the timid counsels of old age. My Lords, for myself, I should run no risk. Personally, I have nothing to fear. But to point out possible peril and how to guard effectively against it, that is surely to be considered, not as timidity, but as the dictates of wisdom and prudence. I have confined myself to facts that cannot be disputed. I think I have confined myself also to inferences which no man can successfully contravene. I hope what I have said has been in accordance with your feelings and opinions. I shall terminate what I have to say in two emphatic words, words of solemn and most significant import—*Vœ Victis!*

LORD STRATFORD DE REDCLIFFE said, he was not entitled by any long standing in this House to interpose between their Lordships and the noble Earl who had just risen (Earl Granville). Indeed, even without reference to that noble Earl, he had no claim to address the House on a subject of this kind. But he believed he should reflect the general feeling of the House when he expressed his gratitude to the noble and learned Lord for calling attention to this most important and solemn question, at so anxious a time as the present. It seemed to him that he might read in the address of his noble and learned Friend a strong evidence of the sentiment prevailing throughout the country on this subject. When he remembered that, although the supplies necessary for taking the precautionary measure now suggested, could not originate in this House, that nevertheless, those measures had first been brought under consideration there—when he remembered that the noble Lord did not belong to the naval or military profession, but that his honourable—he might say his glorious—public life had been passed in pursuits of a totally different kind, and moreover when he saw him rise at a very advanced age and overcome the infirmities of that period of life in order to perform a solemn duty towards the country, he could not but feel the deep importance of the subject—he could not withhold his support from the noble and learned Lord while thus engaged in pointing out the dangers to which the country was exposed, and the growing sentiment which prevailed among the people in that respect. And indeed the subject had not been brought under their Lordships' attention without adequate reason. In all countries possessing free institutions, there might be observed a certain unwillingness to prepare for defence in anticipation of war. Such institutions tended to bring out the feelings of our nature, and among them were those of self-reliance and a general reluctance to endure sacrifices before a strong conviction of their necessity had arisen. He said, therefore, that it was with good reason that the noble and learned Lord had called attention to the present question. It was, however, well known that considerable preparations of a defensive character were in progress. Assurances had been given as well by the late as by the present Administration—indeed they were to be found in the language of the Crown itself—that the whole matter was not only under consideration, but had for some time been the object of vigorous exertions on the part of Her Majesty's Government. He confessed that it had given him much satisfaction to remark some few days ago the tribute so justly paid to the late First Lord of the Admiralty by the noble Lord who is now at the head of the Foreign department when addressing his constituents in the City. He quite agreed with his noble and learned Friend (Lord Lyndhurst) that the point in question was by no means what degree of confidence might be reasonably placed by this country in foreign Powers or in the Emperor of the French, but that it was a just cause of shame, and an intolerable humiliation that a great Empire like ours should appear, though it were only for one hour, to exist by sufferance, and at the good pleasure of a forbearing neighbour. A condition so wholly at variance with our national character was not only calculated to inspire a sense of shame which we ought indignantly to repel; but its necessary tendency was to render us incapable of performing those duties which we owed to the world and to Providence who had placed us in the proud position of doing good without limit. As far as his information went the noble and learned Lord, he believed, had in no respect exaggerated the offensive means of which our neighbours could dispose. When we looked to the extent of those means, to the relations in which we stood towards other countries, to the spirit which was thought to prevail, but too generally in Europe respecting us, there was ample room for anxiety, and still more deeply might that anxiety be felt, if we fully appreciated the altered proportions of our national power when viewed comparatively with respect to the marvellous extension of scientific discoveries as applied to military operations and navigation. When we looked, moreover, at the growing demands upon our naval and military services for the protection of many distant settlements, and at the extent of our daily-increasing commerce with all parts of the world, he could not but recognize additional motives for requiring and submitting to augmented means of defence, and submitting to those sacrifices which were necessary to secure the safety of our shores and to maintain a salutary influence in our negotiations with other States. He was not one of those who laid an exclusive stress on the danger of invasion. Whatever reason we might eventually have to apprehend a hostile attack upon our shores, he was willing nevertheless to believe, that with a prudent and at the same time a firm policy on our part, and with some feeling of regard for right and consistency on the part of others, we were not likely to incur any immediate danger of that kind. But there were other considerations which made it an imperative duty for us to lose no time in completing the national defences. It could not with any shadow of reason be denied that in hastening to accomplish that indispensable object, we should only work out what the honour and interests of the country alike demanded at our hands. He was free at the same time to admit, that in contemplating the high pitch of prosperity to which we had attained, the concord and union of sentiment that existed to an almost unprecedented extent among us, and our command of resources nearly unlimited in amount, it was not easy to entertain any serious apprehensions for the fate of England. Our danger — if danger there was —would be found to arise out of a careless self-confidence, a complacent recollection of past successes, and, more especially, out of our constant unwillingness to recognize those important changes which had of late unquestionably, though gradually, taken place. He was, nevertheless, convinced that if the warning now offered were frankly accepted, if the country would boldly look the defects of its naval and military system in the face, and seasonably turn to account the mighty resources at its disposal, far from having any reason to dread a conflict with France or any other foreign Power, the day on which we should be called upon to defend our honour and interests would prove, with the blessing of God, the most glorious day that ever shone upon the destinies of England.

Earl GRANVILLE: My Lords, I fully concur in the feeling of admiration which has been expressed by the noble Lord who has just spoken with respect to the speech of the noble and learned Lord opposite. I fully admit that in this remarkable intellectual effort the noble and learned Lord has put his views before your Lordships with his usual clearness and eloquence, and that those views, so lucidly stated, contain much of truth, and picture vividly the patriotism and the spirit which pervade the country on this all-important question. At the same time I cannot refrain from asking myself whether any great practical good is likely to result from what has fallen from the noble and learned Lord. I am not sure whether the object of his observations is to stimulate the country or to stimulate the Government; but I have no hesitation in saying that, as regards other countries and other Governments, I cannot foresee any advantage likely to arise from the course which has been taken. There is nothing which gives such weight to this House as the debates which take place in it upon all the important subjects relating to our connection with foreign States, but at the same time it cannot be denied that upon each individual Member—and certainly upon each individual Member of the Government—rests a grave responsibility in regard to what may be spoken by him. During the first three months of the present Parliamentary year, I think we had only three debates upon the delicate subject of our foreign relations. Those debates were not devoid of spirit or of frankness, but they were conducted with a prudence and discretion which were not only highly approved by the public at large, but produced a good practical effect on the Continent, and even in some countries where our free institutions are little loved. Since the accession of the present Government to office, this House has sat only four nights, and during three of them sharp discussions have taken place upon some delicate matters connected with our foreign relations. One noble and gallant Friend of mine, whom I do not see in his place, spoke on two consecutive nights with an eloquence and facility and a precision which are certainly most remarkable in one whose professional career has prevented him from acquiring experience in Parliamentary or any other kind of public speaking; but at the same time, I must say, that his attack upon the head of a Government which is at present in friendly alliance with us, and still more the irritating remarks which he made upon the whole French nation, were not well calculated to be of advantage in the existing state of affairs. I am bound to state, however, on the contrary, that the two noble Earls whom I now see sitting together—I mean the late Prime Minister and the late Foreign Secretary—having recently felt the responsibility involved in the conduct of public affairs at a crisis like the present, have abstained from observations of an imprudent and injurious character. The noble Earl who was at the head of the late Government—though never backward in debate—has carefully abstained from taking any part in the discussions to which I have referred; while the noble Earl the late Secretary of State for Foreign Affairs has confined himself almost entirely to a very legitimate personal defence against attacks which he thought had been made by myself and by two of my colleagues in the present Government. But I cannot say that the same discreet line of conduct has been pursued by all the Members of the late Administration. One noble Earl, who for some time held the office of President of the Board of Control (the Earl of Ellenborough) told us, with that strength of language which stereotypes every thought that comes from his lips, that he believed with the certainty of prophecy that sooner or later an attempt at invasion would be made. I feel reluctant, my Lords, to admit the contemplation of such an event; and it is some comfort to me to reflect that prophecy when uninspired is one of the most fallacious guides in the political conduct of the world. If there be anything more likely than another to give to prophecy a realization in truth, it is possible that another noble Earl (the Earl of Hardwicke), who held one of the highest offices in the late Government, observed, during the last year, a singular silence upon public affairs; but the very moment he got out of harness, like Cowper's

> "Post-horse, right glad to miss
> The lumbering of the wheels,"

he gallopped about without thinking what mischief he might inflict, or where he might place his foot. I do think that when that noble Earl, in defiance of all international law, and in defiance of the feelings of a great maritime Power—our neighbour, declared what his ideas were of the limits of the British shore, he ought to have recollected that such remarks were but ill fitted to preserve the peaceful character of our foreign relations. And now, my Lords, we have this evening been addressed upon the same subject with greater weight, greater moderation, and greater temper. But I am not sure that the noble and learned Lord opposite has been judicious in all he has said. If a feeling of hostility does exist, as he says it does, not on the part of the Emperor Napoleon, but on the part of the French people, I doubt that his speech will tend to allay it. When he points out in the most marked way the defenceless character of our shores —when at the same time he boasts of our former victories, and when he makes something like insinuating and sneering allusions both to the Government and the people of France — I am afraid that, coming from such lips as his, such language is not well calculated to promote the object of unbroken friendly alliance. When you consider how much irritated a majority of the public and of Parliament were last year by the foolish phrases of a few foolish French colonels, isolated in their garrison towns, and smarting under an attempted assassination of their Emperor and commander, you will be able to estimate the effect which such language as we have heard to-night is likely to produce upon a people so sensitive as the French. Again, my Lords, I have to ask myself whether such speeches are necessary to stimulate our countrymen at home. I believe they are not. It is impossible to read the language of the public press, or the speeches made at public meetings, or to see the points upon which even theologians think the election of a Member for Oxford University ought to turn, without seeing an indication on all hands of the readiness with which the people are prepared to make sacrifices in order to preserve the inviolability of our shores, and maintain the national honour—it is impossible not to see that the feeling so eloquently described by the noble and learned Lord is one which is fully participated in by the people at large. Unquestionably a proper feeling in that respect already exists, and the only fear is that it may be excited beyond its legitimate work. The noble and learned Lord has talked of invasion; but that I believe is at the present moment out of the question. While we are on the best possible terms with the United States, while Russia is notoriously not prepared for war, and while France is engaged in a bloody and costly contest in Italy, at such a moment, we are certainly not in danger of an invasion. But what we all feel is, that it would be absolute folly for a great and rich country like England not to take those permanent precautions which at all times will relieve us, not only from invasion itself, but from the very alarm of invasion, so injurious as it might be to our commerce and our prosperity. If there be any truth more clearly to be derived from the teachings of practical political experience than another it is this—that if we excite a feeling to an unnatural degree that excitement will be followed by a reaction, and the probability is that if the people are too much agitated now they may at some future time be seized with a fit of economy which will prevent the Government of the day from continuing those permanent means of defence, which I, for one, consider of the most absolute necessity that this country should provide. I now come to the conduct of Her Majesty's Government, and to the question whether it is necessary to stimulate them with regard to this most important subject. My noble Friend (the Duke of Somerset) and myself have already had occasion to make in this House explicit declarations upon this point, and I am glad to have the opportunity of repeating that those declarations are not mere expressions of individual opinions, but the authorized statement of the views of the whole of the Cabinet intrusted with the Government of the country. I know nothing in the character of Lord Palmerston, the head of the Government, which should excite alarm in this respect. I believe that all who have seen anything of that noble Lord know that for years there has been no man—except perhaps the late Duke of Wellington—who, both in private and in public, has more anxiously pressed the importance of maintaining our national defences in a proper state of preparation than he has done. Some doubt may have been created by what fell from the noble and learned Lord (Lord Brougham) with regard to the state of the navy at the beginning of last year, which was cheered by the noble Earl opposite (the Earl of Derby), and which must have been founded upon a statement made by the noble Earl himself the other day, that at that time the navy was in a state of "weakness, impotence, and decrepitude." [The Earl of Derby: Hear, hear!] The noble Earl cheers; but I really venture to ask him how he reconciles that cheer with the statement made by the head of the Department concerned last year? I do not wish to trespass upon your Lordships' attention, but perhaps I may be allowed to give you a very short sketch of what has occurred with regard to the navy. The noble and learned Lord (Lord Brougham) referred to the great difference in the comparison between the forces of France and England which resulted from the application of steam to navigation. No sane person can doubt that whereas it had formerly been impossible for the French nation to equal us in sailing vessels, as soon as steam was introduced the terms became equal, and the race equal to both countries. In the year 1852, however, we were superior to the French in steam vessels by, I think, 52 ships. During the war we maintained our superiority both in the Baltic and in the Black Sea. At that time I think 284 ships, besides 107 mortar vessels, were added to the navy. In 1858 we had 16 large ships in excess of the number possessed by the French; and although it might be true that we were deficient in frigates, we had 224 smaller steam vessels more than they had. At the cessation of the war the country required, and to a certain extent reasonably required, a reduction of our armaments. The Government did not entirely comply with those requisitions. They reduced the navy, but instead of returning to its condition previous to the war, they went back to the standard of the first year of preparations for war, which exceeded the peace establishment by about 1,000 men, and in the shipbuilding department by about 50 per cent. Last year a cry arose in the country, which was most eloquently enforced by Mr. Disraeli in Parliament, that not only our civil but also our military and naval expenditure must be reduced in proportion to the reduction of our taxation. The charges which were made against the then head of the Admiralty (Sir Charles Wood) were that he was spending too much money and building too large ships. Her Majesty's late Government acceded to power, and ten days afterwards Sir John Pakington, their First Lord of the Admiralty, went down to the House of Commons and said that the Navy Estimates of the preceding Government were so large that the Ministry could not take the responsibility of proposing them to Parliament without due and mature deliberation. They took one month to consider the matter, and then Sir John Pakington in his place in Parliament proposed reductions under three not unimportant heads,—the wages in the dockyards, the purchase of steam-engines for ships, and the extension of Keyham yard; and he defended these reductions on the ground that the Government, after ample inquiry and careful deliberation, had come to the conclusion that those reductions could be made without in the slightest degree impairing the efficiency of the navy. Sir Charles Wood remonstrated with him; and in reply to his remonstrances Sir John Pakington proved, or endeavoured to prove, that Sir Charles Wood's calculations were erroneous; that there was a greater difference between the French and English fleets than he supposed, and that with regard to weight and number of guns especially, the latter was greatly superior. His whole argument was to show that Sir C. Wood was wrong in proposing such large Estimates, while the Government was quite right in reducing them. Later important intelligence was received by the Government as to great activity in the French dockyards. I believe that this great activity commenced after the change of Government took place; but whether that was so or not, it certainly afforded a sufficient stimulus for exertion on our side. Well, but Her Majesty's late Government did not then either propose large additional Estimates to the House of Commons, nor did they on their own responsibility spend large sums of money for the expenditure of which they might subsequently be indemnified. What they did was this. They diverted workmen from the establishment for repairs to the conversion of ships, which otherwise could not have been effected. They converted four ships—that may have been right, but at the same time they sacrificed an amount of money which might have been usefully employed in other repairs—and they energetically pressed the completion of eight ships of the line, which were almost ready to be launched when the previous Government retired. I am really afraid of wearying your Lordships with these details, and I do not refer to them with the slightest intention of throwing blame upon the late Government. On the contrary, I am ready to admit that from the beginning of this year they have shown the most laudable energy and activity in increasing the navy to the greatest possible extent. Within a recent period they have prepared additional Estimates. Those Estimates are very large, but I believe them to be strictly necessary; and when the time comes for their discussion in "another place" it will be found that, if there is any difference, it is that the noble Duke near me (the Duke of Somerset) has in some cases looked a little further than even Her Majesty's late Government. It is not necessary for me to enter into a defence of the army. The noble Earl opposite (the Earl of Derby) repeated the other day what he so handsomely stated when he took office—namely, that he was surprised at the number and efficiency of the troops which he found in this country. I quite admit that the army which we now possess is not large enough to meet any great force coming suddenly upon us; and I think it is clearly the duty of the Government to direct its attention to these questions of the army, and of defending our arsenals so as, if possible, to make them impregnable, to consider most carefully those applications of practical science which have already produced weapons of so deadly a character, and, moreover, to consider the vitally important point of the means of defence against such murderous weapons when directed against ourselves. To these must be added the question of the embodied militia, the experience of which has been most satisfactory to the country, and of other systems. I do know anything that would be more likely to be valuable as a means of defence than the formation of volunteer corps of artillery, while I believe that rifle corps will afford considerable assistance. It will also be the duty of the Government to consider how far they can encourage the formation of a reserve. I beg, however, to state explicitly that no person in this House is more convinced of the necessity of putting our national defences in proper order than is every Member of her Majesty's Government. There is no desire on our part to conceal our preparations from foreign nations. We have no reason to be reluctant to explain to them that, however much we may deplore that all Europe should be arming, yet when all Europe does arm, we cannot be left entirely behindhand in the race, and that we require to be placed in such a position as shall give us the influence which we ought to have in the counsels of Europe when the proper opportunity comes for restoring peace, and shall enable us to ensure the conditions most favourable to the happiness and interests of all who are concerned. But while we are engaged in this difficult, this responsible, and this all-important task—while you allow us to retain our seats on this bench—I think we may with confidence ask your Lordships to give us your support and your assistance, and not in any way to embarrass us—a result which, I think it will appear to your Lordships, on cool reflection, cannot be secured if on every occasion of our meeting we rush tumultuously into the consideration and discussion of questions of the most delicate character.

The Earl of HARDWICKE said, he had listened with great pleasure to the speech delivered by the noble and learned Lord, which he concurred with the noble Lord (Lord Stratford de Redcliffe) in thinking was as patriotic and useful as it was important; and he thought that it would be pleasing, not only to their Lordships' House, but to the public at large, from its calm and dispassionate review of the condition in which, under present circumstances, we might be placed, and which we had a right—not he trusted, to anticipate as rapidly approaching, but at least to contemplate as possible. When we considered that the Britisn empire composed of numerous and detached portions of the globe—separated by the ocean, the common highway of all the world, and that if the forces of the two great maritime nations should by any accident be combined against us, they were not in a condition to satisfy the people of this country that they were secure, matters assumed a serious aspect. We were an unaggressive power, thinking of defence and not of offence; and he, for his part, desired to speak only in terms of high respect for the man who ruled the great French nation. But there was nothing improper in a Member of their Lordships' House, calling the attention to the defensive condition of the country at a time like the present; but the noble Earl (Earl Granville) instead of pursuing the patriotic course, seemed to be desirous to divert the debate into a mere party question, whether a ship more or less was built during the late Administration—instead of addressing himself to the great question, the noble Earl seemed to consider himself in the light of a criminal, and that he was obliged to raise party questions in order to defend himself; when, in fact, the noble and learned Lord had not meant to throw the slightest reflection on him or the Government. The noble Earl had described him (the Earl of Hardwicke) as one who, when the drag-chain of office was on, had been steady and quiet; but having got rid of it, galloped here and there until he at last got so far as to say, that the boundary of this country was the low-water mark on the French coast. He would recommend the noble Earl to gallop to the same conclusion as fast as he could for purposes of defence; the power of shutting up the French fleet in their ports, or of making them fight on their own coast, and not on ours, was what he meant and not that which had been attributed to him, that he was so foolish as to say that the British Channel should be the property of this country. If any French naval officer thought that England was an aggressive power, would he not recommend that if possible the British Channel should be considered the French Channel, and that the low-water mark of England should be the frontier of France? It was to the importance of putting our navy into such a position, that at the breaking out of a war it might be able to blockade the enemy's ports, that his noble and learned Friend addressed himself when he spoke of the necessity of our having ready an overwhelming naval force. Were they going to wait until there actually was war? The time to prepare was now, when we were at peace, by building and manning our ships; for, otherwise, instead of our being able to drive the enemy to the opposite shores, we should be compelled to retreat into our own ports and incur the chance of the war arriving to this country in another shape. As to the party question. What the noble Earl said in reference to the condition of the fleets of England and France when Sir Charles Wood was in office was, as he understood, that we had something like 160 or 200 vessels more than France; and no doubt it was true if you took every vessel propelled by steam, without regard to quality or size, to say that the excess was 140 or 150, but it was made up of gunboats, of which France had twenty-eight, and England 160. As regarded line-of-battle ships we had been reduced to a condition which we had never before been reduced to within the memory of living men—that of having two or three ships of the line less than was possessed by France, and being very considerably weaker in the matter of frigates. It was perfectly true that the First Lord of the Admiralty of the late Government did offer to reduce, or did actually reduce, the Navy Estimates by a small amount, but as soon as that Government became acquainted with the real state of the navy their minds were directed to its improvement. They found that the way in which the construction of the navy had been conducted by their predecessors was this: they had taken from Parliament certain Votes for the construction of ships, but, instead of applying it to that purpose, they applied part of the money to shipbuilding and the rest to other purposes in the dockyards. He did not say whether it was necessary or not that they should do so—that was not the point, but the effect produced was that the public, believing that the navy was increasing in proportion to the money voted, were deceived by the money being laid out for other purposes. What course did the late Government take? They determined to produce as much as they could for the money, and instead of frittering away a portion of the fund in repairing paddle-wheel steamers, and altering ships which never could be of any use, they devoted the whole of it to the construction of new steam-ships, and to the conversion of sailing vessels into steam vessels. That course enabled them in a very short time to launch seven or eight ships, and this year they demanded from Parliament money sufficient to enable them to raise the steam navy to something like fifty sail of the line at the close of 1859, and in 1861 it would be fifty-eight or fifty-nine. The late Government also increased their building power by directing a certain number of vessels to be built by contract. They turned all their energies to the improvement and construction of ships, and they took counsel over the whole country on the subject; and if their course of procedure were followed out there would be large and powerful armaments forthcoming when the country needed them. During the late recess, too, the Government, on their own responsibility, had offered a bounty to induce seamen to enter the navy, and altogether had left the navy on such a footing, that if the noble Duke opposite, now at the head of the Admiralty, followed up the measures of his predecessors the country might depend on having a powerful navy forthcoming whenever an emergency arose., He advised the present Government to let no time be lost in raising their fleet to 100 sail of the line, and not to grudge the cost, for they might depend upon it that, although such force might not be needed they would be laying out the money in the best possible manner. They would by so doing strengthen our alliances; they would greatly assist the Foreign Minister in his communications with other countries; they would render commerce secure wherever the British flag floated; the fluctuations in the price of funds, in consequence of the slightest breeze on the other side of the water, would cease, and they would improve their position in the opinion of the great man that now ruled France. He was firmly convinced that the Emperor of the French would rejoice at a considerable augmentation of our naval strength, because it would furnish him with a powerful argument against such of his subjects as desired an invasion of this country by France. He believed that that ruler would much rather quiet than stimulate that desire of invasion, and would be glad to see the maritime power of this country raised to a considerable pitch, that the question might not be pressed upon him as to whether he should make war upon England or not.

THE DUKE OF SOMERSET must express his regret that a question of such grave importance as that of the naval defences of this country had been treated as it had been by the noble and learned Lord. In the observations which he himself made the other evening upon this subject he carefully abstained from saying anything to irritate the feelings of any other nation. With reference to the noble and learned Lord's charge that his noble Friends, when in office before, had reduced the naval force of the empire—he had had nothing to do with that Government, and therefore he was perfectly free to express his opinion on that subject. He thought that the charge refuted itself; for noble Lords opposite, when the Conservative party accepted office, found that the former Government had left the navy in such a state that after a month's consideration the new Government made up their minds to reduce the Estimates. In consequence of what had been said in their Lordships' house the other day, he had looked at the records of the Admiralty, and found that the information relative to the growing superiority, or rather great increase, of the French navy had been received here at the commencement of July, 1858. There was plenty of time to have come down to Parliament that Session and ask for increased Estimates; but nothing of the kind was done; but on the contrary, the works in the dockyards were reduced, and the order went forth to stop the extra jobwork. But he admitted that at last the late Government did come to Parliament and state the growing increase of the French navy, and that they vigorously set to work to improve the state of our own navy. He greatly regretted the exciting language which their Lordships had just heard. If such language were persevered in it would be necessary to have not only a peace but a war establishment. There was no peace whatever in the language of the noble and learned Lord. All he said was for war. That language was calculated to excite the passions of England and France, and he thought it most unwise to talk as the noble and learned Lord had done of two great nations. The noble and learned Lord might have done good service if he had simply shown the present position of affairs, and had urged upon the Government the necessity of increasing our naval force and the land fortifications of the country; but instead of doing so he had used exciting language which would spread throughout the country, and which, as it came from a man of so much eminence, and from a man who had recently taken so distinguished a part in foreign policy, would have a very bad effect. He well remembered the strong language which the noble and learned Lord used not long ago when pleading the cause of Italy. His sympathies were then with Italy, but they were now utterly gone, and nothing remained but his anger with France. During the short time that he (the Duke of Somerset) had been in office he had done everything in his power to increase the power of this country by sea. He had thought it his duty to continue works in the dockyards which had, indeed, been begun by the late Government, but as they had only taken a Vote for six months, they must have been discontinued had the late Government continued in office, and 3,000 workmen would have been dismissed from the dockyards next autumn. He (the Duke of Somerset) on the contrary, had thought it necessary to take an additional sum for the works now in progress, in order that they might be carried on until the commencement of the next financial year. He hoped that the people of this country would not be induced by exciting language to demand armaments on a war scale, for the putting of armaments on that scale led to war. He thought it was our duty to steadily increase our armaments, but he would not adopt the language of the noble and learned Lord who said that we must at once prepare for defence in every quarter of the globe where the English flag floated.

Lord BROUGHAM said, they seemed agreed on both sides of the House, without one single exception, as to the expediency, or, indeed, the necessity, of defensive preparations. In that there was nothing invidious either towards foreign nations or their rulers; but it was simply caused by the posture of affairs in Europe, where the different countries were swarming with great armies under the control of a few individuals possessing absolute and unlimited power, and whose caprices might any day lead to a breach of the peace. Under such circumstances we were bound to stand prepared in our own defence for whatever might happen, without expecting anything to happen, or dreading anything that might happen. He deeply lamented what had been said by his noble and gallant Friend (Lord Howden) who was not in his place, in reference to the feelings of the French people with regard to the invasion of England. He (Lord Brougham) positively denied that the feeling was such as had been represented. There was no desire on the part of the French people to engage in war with this country; but, on the contrary, there was an almost universal desire to maintain peace. With respect to the rulers of Russia, of Austria, and of France, it was not safe to allow either of them to encroach ever so little upon the rights of others. There was an old maxim to the effect that they whom you allowed to go but a very little beyond the line which divided right from wrong, were very apt to go a great deal further without your leave, *cui plus licet quam debet eum semper plus velle quam licet.* If you gave them an inch they would take an ell. He had confidence in the Emperor of the French, but whether we trusted him or mistrusted him we certainly ought to trust to ourselves; and without expecting war or dreading war we ought to be prepared for our own defence whatever might happen. His noble and learned Friend (Lord Lyndhurst) and his noble and gallant Friend (Lord Hardwicke) seemed to have performed the proverbially superfluous office of preaching to those already converted, for no one denied, or even doubted, that we should be fully prepared for all accidents. As to the French people we had no mistrust of them; but there existed but one opinion as to the absolute necessity of our being fully prepared in the present state of Europe. We had no distrust of foreign nations; but on the other hand, they had no right to complain of our being prepared when they had proved themselves to be prepared.

THE EARL OF ELLENBOROUGH: My Lords, I have only a very few words to offer, but I cannot leave the House with satisfaction to myself without taking the opportunity of expressing to my noble and learned Friend my most grateful thanks for the great service which, in my opinion, he has performed. My noble and learned Friend has put an end to that fatal course of self-deception in which this country has for so many years been indulging. He has distinctly placed before the House and the public the picture of what we were and what we are—of what we are under circumstances the most perilous which have occurred for the last half century. I feel convinced that upon the most mature after-reflection my noble and learned Friend will not find one word in the great speech which he has delivered to-night which he would desire to alter. My Lords, the people of this country have, by almost all who have been in the habit of addressing them, both within the walls of Parliament and at public meetings, been led to think much more of the past than of the present, and not at all of the future. They have been resting upon the memory of past glories, and they have been imagining they were only on the morrow of Waterloo and Trafalgar. That is not my feeling, and it is now twelve years since I took the opportunity of calling attention to the great changes which had then taken place in the circumstances of Europe since the year 1815, and urging upon the House the adoption of some other measures than the mere law for ballotting for the militia, now enforced for the purpose of giving us the requisite security. I have since upon several occasions pressed the same considerations, as far as I could, upon the public mind. Of all the nations of Europe we are the most vulnerable at sea, because we have, in addition to our own territory, our Colonies and our great commerce to defend; and if we have not superiority at sea we are more vulnerable than all other nations on land, because we have a much larger frontier, and one much more exposed than any other nation. On all sides we are exposed to attack, if we have not a naval superiority to protect us. My Lords, we have been desired to-night to change the language which some are disposed to use with respect to the armaments and councils of our neighbours. My Lords, were we to do so, it appears to me that we should adopt a course of conduct very inconsistent with our duty as Members of the Legislature. In what part of the world will liberty of speech take refuge if it is not to be permitted to take refuge in this House? What are the circumstances of the war, and how has that war been described on both sides of the House? I believe, since we met after the dissolution, I have heard the word "iniquitous" applied to it. No one has questioned the correctness of that description. It is certainly a war without justification. Even if the object be a good one, it is not justifiable by wrong and bad means to attempt to accomplish it. But I do not believe, nor do I think any one believes, that the pretended object of the war is the real one. We see a war, which is declared to be iniquitous, entered into for the purpose of changing the existing distribution of Power in Europe, and the settlement made in the year 1815, which has lasted untouched from the Treaty of Vienna to the present time. We are desired to regard that war, conducted as it is by such an extraordinary force, as if it were an event which could not in any manner produce alarm in the mind of any man in this country. My Lords, France in this war appears almost as a new Power in Europe. If it be true—and I accept the declaration of the Emperor that he made no preparations—it is on that account I entertain the greater alarm. If, without any previous preparation, the Emperor of France can in six or eight weeks place 200,000 men, perfectly equipped, for military operations in the centre of Northern Italy—if he can send 80,000 of these men by sea most rapidly, with most perfect arrangements, with all that is required of munitions of war and provisions carefully packed as if there had been forethought, and as if intended for transmission by sea—if, in addition to that, in a small space of time, he can place from 30,000 to 40,000 men in a powerful fleet in the Adriatic, and there propose a descent and a rehearsal of the invasion of this country—when I see these things done, when I see the diminished force of this country, as detailed by my noble and learned Friend, in comparison with the force of France, I do feel apprehensive, and I do feel that it is the bounden duty of Government and of Parliament to place this country in a state of unattackable security. I am not satisfied with the expressions of the noble Earl (Earl Granville). I am not satisfied that merely ordinary means should be adopted, that "what is proper" should be done. What I desire is that the country shall be placed in that degree of unattackable security, that strength shall be restored to our diplomacy, that we may be able really to interfere with effect in putting an end to this war and preventing the commencement of any general hostilities. Until we do that all our diplomacy is valueless. I have often heard of "moral influence." Moral influence varies exactly as the amount of physical force behind it. No one, I think, unless inspired with a feeling hardly English, can speak of the present ruler of France as one calculated, of himself and by himself, without any association of force, to exercise moral influence in Europe; yet no man in Europe has more moral influence, because no man commands greater force. And noble Lords opposite may depend upon it that, until they place this country in a degree of security which renders it hopeless for France or any other Power to attempt to attack our shores, all efforts to terminate the war by intervention and negotiation will be entirely without avail. During the last eleven years—since 1848—all the Powers of Europe have been endeavouring, partly from distrust of each other, and partly from distrust of their own subjects, to increase their military force. They have effected that object; they have effected it by great financial sacrifices. I dread both their financial weakness and their military strength, because I know that against the burdens to which they have been submitting their only hope of remedy and relief is by a combined war on this country. My Lords, it is not safe for this country to remain unarmed in the midst of armed nations. When of two neighbouring nations who have ever been rivals, and have often been engaged in desperate hostilities against each other, one determines to apply all her energies to making money, and the other to making preparations for war, it is obvious enough with which of the two nations all the money must ultimately remain. Our only security is in our own energies, and I trust the Government will adhere precisely to those expressions of firm resolve, and will follow out that decided course which in the first instance they seemed determined to adopt. But I confess I am not perfectly satisfied with what fell from the noble Earl to-night. I fear there is a slight variation from the decided course which in the first instance they said they were fully determined to pursue. I trust they will adhere absolutely to that course, as I believe it is by that only they will secure the confidence of Parliament and the safety of the country.

THE DUKE OF ARGYLL said, I can assure the noble Earl who has just sat down that the fear he has now expressed is entirely without foundation. No such change, as he appears to suspect, has come over the intentions of the Government; but the demands made upon the Government and noble Lords opposite are daily rising. The noble Earl opposite (the Earl of Hardwicke) told us a few nights ago, that seventy sail of the line would be the requisite provision for the defence of our shores; but to-night his estimate has risen to 100. And if the speech of the noble and learned Lord to-night—a speech remarkable for dignity and eloquence—were to be taken as indicating the overture now put forward upon this subject, it would follow that the Government must at once produce a war Estimate, and provide for war taxation. That doctrine was neither more nor less than this—that we must at all times maintain a naval force that shall be equal to the combined navies of the rest of the world. I believe such a course would be productive of the most mischievous results. It might be possible in a time of general suspicion and alarm to propose such measures with success. They might even be received with popular satisfaction for the moment; but a re-action would inevitably follow: the Opposition would take the advantage of that re-action, as Oppositions always did, and then would follow a clamour for reduction of expenditure, leaving us, probably, in a worse position than before. This has been the usual order of events; and in so far as we can be said to be suffering at all, we are suffering from the cause at the present moment. I very well recollect that when the Government of Lord Aberdeen was first formed, it was a period of popular alarm about invasion: and the earlier meetings of his Cabinet were much occupied by the subject of the national defences. The Estimates of our predecessors were increased. The noble Earl at the head of that Government was, with his usual strong sense, the first to call a halt in the measures pointed at by the general feeling of the time. Then followed soon after the Russian war. Our navy was raised to a position of great power—involving, of course, large expenditure, and corresponding taxes. What happened on the peace? A cry for immediate reduction; and at the beginning of 1857, we could not reduce rapidly enough, or to a sufficient extent to meet the urgent demands of the Opposition. Very unjust complaint is now made against Sir C. Wood, on the opposite ground that he allowed the navy to fall too low. Yet, what are the facts? His Estimates for (1858) were accepted by the Government of the noble Earl opposite (the Earl of Derby) not only without complaint that they were inadequate, but with many apologies and excuses for adopting Estimates so very high. Sir J. Pakington explained that they were so high, that he must ask time to consider whether he could not reduce them; and at the end of a month he came down to the House of Commons, explaining that he could only effect a comparatively small reduction—that reduction being principally in the very item—steam machinery — in which our comparative backwardness is now laid at the door of Sir C. Wood. Depend on it, my Lords, if we were now, on the ground of vague suspicions merely, to ask for war taxation to cover war expenditure, there would be a speedy re-action, leaving us, probably, in a worse position than we were before. There is another point with respect to which I wish to say a few words before I resume my seat. The present war had been described by the noble Earl (the Earl of Ellenborough) as an iniquitous war on the part of France and Sardinia. I can assure the House that it was with the utmost reluctance that he had sat silent during the recent discussions which had taken place on the subject. I do not mean to say that circumstances of very grave anxiety with respect to the origin of the war did not exist, but I beg most decidedly to dissent from the opinion which, without argument, would assume that the present war was one of an iniquitous character, so far as France and Sardinia were concerned. Such an opinion would be inconsistent with the language held by the late Government, for it would be found in the papers which were to be discussed on Friday next that the war had been denounced in language stronger than I should be disposed to use—by the noble Earl the late Secretary for Foreign Affairs —as resting entirely on the head of Austria, which it certainly did, in so far at least as that it was she who took that last step which had led to the immediate commencement of hostilities.

THE DUKE OF RUTLAND said, he thought their Lordships owed a great debt of gratitude to the noble and learned Lord who had brought the subject under discussion before the House. It was, he thought, of the utmost importance that the country should be placed in such a position of defence as that we need not be under the necessity of relying for our security on any man or any nation, and he could assure the noble Duke who had just spoken, that there was no occasion to be alarmed at any reaction on the score of expenditure for that purpose taking place in the minds of the people of England, so long as great armaments, such as at present existed, were maintained on the Continent of Europe. When the war in Italy came to a termination, and those armaments were decreased, it would be time enough to look for that change of public opinion which the noble Duke seemed to apprehend. He did not mean to contend that this country was likely to be invaded by France; but he thought it right we should be prepared. He could remember when the other House was considering whether it was advisable to adopt the principles of Free Trade, they (the House of Lords) ventured to remind them that by possibility, although we had been thirty years at peace, war might again break out. And what was their answer? They said that war was now an impossibility, with the advancement and enlightment of the age. And what ensued? First, in 1854, we engaged in a war with Russia. That was, in his opinion, and he said so at the time, a most unfortunate war. It was of the most sanguinary character, and it was in the contest then carried on that, in his opinion, the seeds of the present hostilities were sown. Who, then, would be so bold as to tell them that this country would never be invaded, and that therefore they should not be prepared for such an event? He for one would not be so rash as to arrive at any such conclusion. But his principal object in rising was to point out to the noble Duke at the head of the

Admiralty (and who he was sorry to say had now left the House) what he believed had not been alluded to by any noble Lord who had addressed the House that evening. His noble and learned Friend (Lord Lyndhurst) had said that very much of the defences of this country must depend on the "wooden walls of Old England;" and he added, what was more important, the spirit and efficiency of our seamen. Now, he (the Duke of Rutland) must remind their Lordships that the Navigation Laws had been repealed. He was not going to argue the policy of that measure, but only to say that before it was passed it was necessary that the master and three-fourths of the crew of each merchant ship should be British seamen, and from whom the Royal Navy was largely recruited; but the repeal of the Navigation Laws had done away with that, and left the British shipowner in competition with all the world. But when the Legislature exposed the British shipowner to competition with the world, they very properly and justly felt that it was only fair to take off all restrictions from him; previously every ship or vessel of 80 tons and under 200 was obliged to carry at least one apprentice;

200 and under 400 ...... 2 apprentices;
400 „ 500 ...... 3 „
500 „ 700 ...... 4 „
700 and upwards ...... 5 „

but this was done away with when the Navigation Laws were repealed, and there is now no nursery for seamen. He believed it to be expedient that if a supply of efficient seamen was to be secured, that an alteration of the existing rules, as to manning the mercantile navy, should be effected, and his object in rising was to draw the attention of the noble Duke to the subject. For his own part, he would not be so rash as to arrive at any such conclusion, and he should therefore earnestly impress upon his noble Friend the First Lord of the Admiralty the necessity of rendering as efficient as possible those "wooden walls" which his noble and learned Friend who opened the discussion had so justly designated as the main defence of the country. In order to secure that object it was expedient, as his noble and learned Friend had suggested, that there should be an ample supply of efficient seamen, and he therefore trusted the existing rules in relation to employment in the merchant service would be so far modified as to attain that end.

House adjourned at Eight o'clock till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 5, 1859.

MINUTES.] NEW MEMBERS SWORN.—For Monmouth County, Poulett George Henry Somerset, esquire; for Clonmel, John Bagwell, esquire.

PUBLIC BILLS.—1° Admiralty Court; Salmon Fishery; Tramways (Ireland); Roman Catholic Relief Act Amendment; Church Rates Commutation.

3° Jury Trial (Scotland) Act Amendment.

GREIVES'S DISABILITIES REMOVAL BILL.

FIRST READING.

Order for First Reading read.

Motion made, and Question proposed,—"That the Bill be now read the first time."

MR. STEUART said, he would explain the reasons which induced him to take the unusual course of moving that the first reading of this Bill be postponed. He had less difficulty in doing so, because an objection of the same kind had been taken to Bills of this kind by the right hon. Gentleman the Chief Commissioner of Woods and Forests (Mr. FitzRoy). The right hon. Gentleman, however, took that objection at the second reading, and it was then said that he should have taken the objection earlier. This Bill was for the purpose of enabling a clergyman of the Episcopal Church in Scotland to hold a benefice and officiate as a clergyman of the Church of England, and he objected to it because it was doing away by a private Bill with the public statutes for the regulation of these matters. A private Bill of this character was exceptionable in itself, but in the present instance there were peculiar circumstances why this mode of obtaining relief from disabilities ought not to be resorted to. The relief had been generally granted on the belief that the doctrines of the Episcopal Church of Scotland and the United Church of England and Ireland were the same. Whether that were so or not he would not attempt to discuss, but circumstances of a very painful character occurred last year, in which the promoter of the present Bill was to some extent concerned. A case was raised against the Rev. Patrick R. Cheyne, a clergyman of the Scottish Episcopal Church, for erroneous doctrines, and in the course of that case it came out that there was a party in that Church which held doctrines widely different from those of the Church of England.

The Rev. Patrick Cheyne held doctrines which were condemned by all the Bishops of the Scottish Episcopal Church, except one, he believed, who took a modified view of the subject. It was true Mr. Greives, who promoted this Bill, was not Mr. Cheyne, but he had publicly and distinctly by his acts countenanced the erroneous doctrines held by that gentleman; and now he came to that House, and hoped *per incuriam* to be allowed to slip into the Church of England, as the House generally could not be aware of the circumstances. He believed Mr. Greives was of an excellent private character, but it was notorious that his congregation in Scotland had been scandalized by his introducing rites and ceremonies of a very extraordinary kind. He (Mr. Steuart) had himself been in his church, and had witnessed the burning of incense, the decoration of the pulpit with flags and banners, and ceremonies of a nature such as he had never before witnessed, and hoped he never should witness again, in a Protestant place of worship. He would, therefore, move that the first reading of the Bill be now postponed, and he also wished to give notice that before the first reading he would move for a Select Committee to consider the general question of the admission of Scottish Episcopalian clergymen to the Church of England, and that this particular case should be referred to that Committee.

Motion made and Question proposed, that the Debate be now adjourned.

Sir GEORGE GREY said, there were certainly great objections to Bills of this kind, enabling individuals who could afford the expense to avail themselves of exceptions to the general rule. He thought that in all such cases as these admission should be given to the Church under a general law, and not by private Bill. But he would beg leave to suggest to the hon. Member for Cambridge that he should allow the Bill to be a read a first time, *pro formâ*, as was usual with Bills that came down from the Lords, and take the course he now proposed as to a Committee of inquiry on the second reading, when the House would have full notice of his intentions.

Mr. HADFIELD said, it was high time that all the distinctions which rendered Bills of this kind necessary should cease. It was but another evidence of the evils arising from a State establishment of religion.

Mr. BLACKBURN expressed a hope that the hon. Member (Mr. Steuart) would withdraw his Motion and take the subject up again on the second reading.

Mr. FITZROY said, he had some years ago expressed the views now stated by the hon. Member for Cambridge on this subject, and still held that relief should in all these cases be given by a general Act.

Mr. KINNAIRD said, he also concurred in recommending the withdrawal of the Motion on the terms stated by the right hon. Baronet.

Mr. NEWDEGATE observed, that there appeared to be no father to this Bill. He could not discover who had the charge of it in the House of Lords. He would only consent to the first reading on the understanding that it was merely *pro formâ*, and must protest against it being supposed that by so doing he was precluded from opposing a general measure having the same object as this private Bill.

Mr. STEUART said, that he would withdraw his Motion, and gave notice that on the second reading he would move for a Select Committee on the subject.

Motion by leave *withdrawn.*

Main Question put and *agreed to.*

Bill read 1°.

ORGANIZATION OF THE INDIAN ARMY.

QUESTION.

Mr. TORRENS said, he wished to ask the Secretary of State for India, whether, with reference to the report, dated the 7th of March last, of the Commissioners appointed to inquire into the organization of the Indian Army, any steps have been taken to effect the formation of a permanent local army in Bengal, and for the gradual disbandment or reduction of the levies temporarily taken into British pay during the mutiny of the Native troops in that Presidency?

Sir CHARLES WOOD said, that he could not say that any practical steps had been taken for the organization of a local Bengal army, the question involving a great number of considerations and matters of detail. With regard to the other question asked, he was not in a position to state that any of the levies in question had been discontinued or disbanded. Any measure on that subject must be taken with all due regard both to the interests and the feelings of the men who stood by us so gallantly during the mutiny.

THE LATE EAST INDIA COMPANY'S EUROPEAN REGIMENTS.

QUESTION.

Mr. VANSITTART said, he rose to ask the Secretary of State for India whether he has received any information regarding the excitement which has prevailed among the late East India Company's European regiments, consequent upon the withholding of the alternative of re-enlisting with new bounty or of being discharged, on the occasion of the transfer of their services to the Crown; and if so, whether he has reason to believe that such excitement no longer exists.

Sir CHARLES WOOD said, the House was aware that information had reached this country that a certain degree of excitement prevailed at two or three stations, and some discontent more generally, on the part of the soldiers of the East India Company, on being transferred to the service of the Queen without any fresh bounty, a transfer which they regarded in the light of a re-enlistment. He believed that the claim was totally unfounded, and that from the investigation which was now going on it appeared that those men had all forgotten the oath they had taken. On one occasion when that oath was shown to one of them he declared that he had no reason to complain, and that had he known its terms he should not have acted as he had done. The matter was the subject of an inquiry still pending. He was happy to say that the discontent on the part of the men was very much subsiding, but he could give no more decisive answer until he knew the result of that inquiry.

THE SERPENTINE.—QUESTION.

Sir MINTO FARQUHAR said, he would beg leave to ask the First Commissioner of Works whether he proposes to carry out the intentions of his predecessor in office, as expressed on the 8th of last March, by taking a Vote in the Estimates for the purification of the Serpentine during the autumn of this year?

Mr. FITZROY was understood to say he hoped to propose a Vote for the purpose in question during the present Session.

THE GALWAY CONTRACT.—QUESTION.

Mr. BAXTER said, he had to ask if the attention of Her Majesty's Government had been called to the contract entered into with the Atlantic Steam Navigation Company to carry the mails between Galway and the United States, and whether they consider it advisable in the interest of the public that the said contract should, under certain conditions, be cancelled?

The CHANCELLOR of the EXCHEQUER said, the attention of Her Majesty's Government had been called to the contract entered into with the Atlantic Steam Navigation Company for carrying the mails between Galway and the United States; but the Government had not arrived at any conclusion with regard to the latter part of the question, namely, "whether they considered it advisable in the interest of the public that the said contract should, under certain conditions, be cancelled." But in regarding this question, Her Majesty's Government had necessarily had under their view other proceedings with respect to contracts, and indeed the whole course of proceedings with respect to these contracts which had grown imperceptibly into a system; and the Government were of opinion that with respect to that system it would be very desirable that it should be brought fully under the impartial view of the House of Commons, and that the House should, without the smallest prejudice to any particular instance, have an opportunity of examining the whole matter for the purpose of giving their advice upon it. He would, therefore, give notice that on Thursday he would move the appointment of a Select Committee to inquire into the manner in which contracts extending over periods of years had from time to time been formed or modified by Her Majesty's Government with various Steam Packet Companies for carrying the mails beyond the limits of the United Kingdom; likewise to inquire into any agreements or other arrangements which had been adopted at the public charge, actual or prospective, for purposes of telegraphic communication beyond seas, and to report their opinion thereon to the House, together with any recommendations as to rules to be observed hereafter by the Government in making contracts for services which had not yet been sanctioned by Parliament, or which extended over a series of years.

Mr. BAXTER said, he wished to ask whether any Vote would be taken in the present Session?

The CHANCELLOR of the EXCHEQUER said, that did not form any part of the plan. Under the plan, as it stood, it would be the first vote that would be asked in the next Session of Parliament.

Mr. MONSELL said, he wished to ask whether it was any part of the condition on which this contract was made that any portion of the subscribed capital should be paid up; if so, what amount, and whether the condition had been complied with?

Mr. LAING said, that the late Government, before they entered into the contract with the Galway Company, had made a condition that a certificate should be supplied shewing that the whole capital of the undertaking and the amount was paid up. The whole capital was £500,000, and they had received a certificate from the secretary of the company that a capital of £212,490 had been subscribed, of which £169,447 had been paid up. Of that amount £151,000 consisted of paid-up shares, taken in part payment of ships purchased by or to be built for the company. This left an amount of £61,450 of subscribed capital, of which £18,447 was paid up as representing the money subscription at the date of that certificate, namely, the 15th of April last. What had been done since that date he had no means of knowing.

POOR LAWS.

WITHDRAWAL OF NOTICE.

Mr. AYRTON said, he had given notice of his intention to move for a Select Committee to inquire into the operation and administration of the laws for the relief of the poor in Great Britain and Ireland. The late President of the Poor Law Board had also moved for a Committee to inquire into the operation of certain Acts for the relief of the poor. The Committee was appointed, but it was, in his opinion, impossible to proceed with that inquiry satisfactorily under the terms of the reference. When Parliament was dissolved the labours of that Committee came to an end. As the present President of the Poor Law Board was only appointed two days ago, he should not be doing him justice in proceeding with the present Motion. That right hon. Gentleman (Mr. Villiers) was one of the most Liberal Members of the House of Commons, and ranked with those who represented the enlarged opinions ascribed to hon. Gentlemen who sat below the gangway, and who were called "advanced Liberals." He trusted therefore that the right hon. Gentleman would be of opinion that the Committee ought to address itself to the whole subject of the Poor Laws, and to the manner in which the Poor Laws were administered. If it were proposed that a Committee should be re-appointed during the present Session to conduct so limited an inquiry he should move his present Resolution as an amendment. If the Committee were postponed until next Session he should bring forward his Motion then. For the present he should withdraw his notice.

THE CASE OF MR. G. H. RYLAND.

COMMITTEE MOVED FOR.

Mr. GREGORY said, he rose to move for "a Select Committee to inquire into the arrangements under which Mr. G. H. Ryland was induced to resign the patent office of Clerk of the Council in Canada; whether that step was taken under a distinct guarantee from the Imperial Lord High Commissioner, Lord Sydenham; and, if so, whether that guarantee had ever been fully and fairly carried out by the Imperial Government." He regretted, for the sake of Mr. Ryland, that it had fallen to his (Mr. Gregory's) lot to bring the present Motion before the House, as it would have been more satisfactorily dealt with by the hon. Gentleman who last Session called the attention of the House to the subject, but who, he regretted to say, was not a Member of the present Parliament. There were many present who recollected the industry and perseverance with which that hon. Gentleman had exerted himself in that matter. He referred to Captain Vivian. The way in which the Motion came into his hands was, that his gallant Friend had requested him to look into the papers connected with the case, and begged of him, if he thought it one of extreme hardship, he would act for him and bring it before the House. At that time he knew nothing of Mr. Ryland, but, as requested by his hon. and gallant Friend, he looked over every one of the papers, and could not but come to the conclusion that the case was one of extreme injustice; and although he was averse to bringing individual cases before the House, yet when a denial of justice, such as met him here, was persevered in for so long a time, and when it was impossible to have recourse to any other tribunal than Parliament, he felt bound to conquer his reluctance, and considered he was justified in asking for a Committee, to inquire into, give a verdict on, and effect a settlement of, this distressing case. He would enter as briefly as possible into the circumstances of the case, but as they extended over a period of eighteen years he hoped the House would bear with him while he enumerated them. In the year 1841 Lord Sydenham, the then Lord High Commissioner of Canada, being intent on effecting administrative reform and the union of Upper and Lower Canada, communicated to Mr. Ryland, who then held the office of Clerk of the Council, his desire that he should surrender his office. It was a patent one worth £1,030 per annum, with a retiring allowance of £515 per annum, by the provisions of the 4th and 5th of William IV. Mr. Ryland, in the handsomest manner, replied that he wished to be no impediment in the way of Lord Sydenham's reforms. He stipulated, however, in surrendering his place, either that he should be provided with an office equal in amount to the emoluments of his own, or that he should receive compensation. Lord Sydenham offered him in return the registrarship of the district of Quebec, but intimated to him that he was willing to guarantee to him such an income only as would make up the amount of his retiring allowance £515; but he added, at the end of his letter, that should the emoluments from his employment exceed that amount he would of course be entitled to the excess. Lord Sydenham made that stipulation, as the new office was one which, if it continued in the condition in which it was given to Mr. Ryland, would have proved a remunerative one. The emoluments were derived from fees, and had the office been continued to Mr. Ryland in the position in which he received it, it was calculated that it would have yielded him £20,000. One thing was perfectly clear, that if Mr. Ryland had stood upon his right, he might at that moment have called on Lord Sydenham to dismiss him from his office, and thereby he would have been entitled to retire on £515 per annum for the rest of his life. But upon the proposition being made to him he accepted the office of Registrar of Quebec on the understanding that if it did not prove equal to the office of Clerk of the Council, it should not be considered as compensation in full, and should not bar his claim on the Government. It turned out, however, that the new office was not such as would form a full compensation for the office he had surrendered, and he wrote to that effect to Lord Sydenham. No reply was given to that letter, but it was evident from the beginning that it was Lord Sydenham's intention, in return for Mr. Ryland's obliging disposition to serve the Government, to place him in an office that would compensate him fully. Accordingly a letter was received by him from the secretary of Lord Sydenham, stating that until he had entered into his new office he should receive the full salary of the one which he had relinquished. Whilst these things were going forward Lord Sydenham died, and was succeeded by Sir Richard Jackson, and afterwards by Sir Charles Bagot. Mr. Ryland made the same claim upon his two successors as he had made on Lord Sydenham; and again no objection was made to his protest. He had hardly entered upon his new office when he found that the condition of it was entirely changed, and that the clause upon which he had relied to produce the emolument calculated was repealed by the Legislative Assembly, taking away fees which had previously been payable; and in 1843, by an act of the Colonial Legislature, the registrarship was reduced from that of a district to the registrarship of the county of Quebec. From 1841 to 1850 he continued to make his claim, and to protest against the injustice; and the Colonial Government acknowledged he had claims, but threw the responsibility on the Imperial Government, and the Imperial Government upon being appealed to also admitted the injustice, but threw back the responsibility on the Colonial Government. In the meantime Mr. Ryland found his income from his office exceedingly small, and in some years actually below the expenses of his office. The matter was brought before the House of Assembly, and in 1846 the Colonial Government appointed a Committee to inquire into his claims, and that Committee reported in favour of them. The Assembly, however, denied this responsibility in the matter, and refused to compensate him, but they passed a unanimous resolution in favour of his claims and the hardship which he had sustained. Lord Grey, at that time Colonial Secretary, sent back a despatch combatting the reasoning of the Assembly. In that way Mr. Ryland was driven from pillar to post till 1850. In that year his case was taken up very warmly by Lord Lyndhurst, but being prevented by indisposition from carrying out his intention of bringing it under the consideration of the House of Lords, the task was undertaken by the Duke of Argyll. Upon that occasion the Earl of Derby, Lord Brougham, and Lord Glenelg spoke in favour of Mr. Ryland's claims. On the 10th May, 1850, the House of Lords adopted a series of three Resolutions, notwithstanding the opposition of the Government, in which they say that the case was one of great hardship and injustice; that it appeared by the papers on the table of the House that the hardship and injustice of the case had been acknowledged, both directly and indirectly, by the successive Governors-General of Canada, as well as by the Colonial Legislature and the Imperial Government; and that it was the opinion of their Lordships that these claims ought not to be avoided or overlooked, and that the agreement made, of which Mr. Ryland had performed his part, should be performed; or, if that was impossible, that compensation should be awarded. But as Earl Grey still continued Colonial Secretary, nothing came of these Resolutions. In 1852, with the change of Government came the right hon. Member for Droitwich (Sir John Pakington) to the Colonial Office, and a correspondence ensued between him and the Duke of Argyll. The letters of the Duke were worthy of perusal—they were models of perspicuity and close reasoning. The right hon. Gentleman, after thinking there were insuperable difficulties in the way of Mr. Ryland, at last conceded the claims of the Duke of Argyll in favour of that gentleman, but was of opinion that these claims were properly due in respect of the Colonial Government. That Government, however, in consequence of what was known as the Pension Fund, amounting to £5,000, having been surrendered to them unconditionally and without reservation, contended that they had nothing further to do with Mr. Ryland's, or any similar case. Nothing came of it till 1854, when the noble Lord the Member for London succeeded to the Colonial Office, and he determined to act in this case with promptitude. He at once wrote a despatch to Sir Edmund Head, in which he conceded the whole of the position which it was desirable to establish in favour of Mr. Ryland. The noble Lord wrote that, considering the peculiar circumstances under which Lord Sydenham was sent as Governor General to Canada, and the large powers with which he was invested by the Government, it was but proper to admit that the promise which had been made by him was covered by his authority, emanating from the Imperial Government; and the noble Lord added, that he believed the position of Mr. Ryland to be hard and unfortunate. Mr. Ryland's case, he added, did not merely depend on the specific written promise given by Lord Sydenham. It was distinguished by the circumstance that that promise was given in order to induce Mr. Ryland to take a step which on the faith of that promise he did take, and which otherwise he would not have taken. He was induced to resign an office of which he was in actual possession at the time. That the loss to which he had since been exposed has arisen, not merely from disappointed expectations, but from the sacrifice voluntarily made of advantages which he had actually enjoyed, and of which he might have retained possession. Lord John Russell therefore recommended that an inquiry should be instituted at once. Immediately after that Chief Justice Carter was appointed for that purpose, and he reported that there was due to Mr. Ryland, up to the date of his report, a sum of £9,000. There was thus proof of the greatest hardship and injustice having been endured for fourteen years by this gentleman owing to a request and promise made to him by the Lord High Commissioner. From this date the case assumed a different aspect. The sum of £9,000 was at last paid him. But Mr. Ryland said on that point, "You have made one restitution, but you have not given me my right, because but for the step I was induced to take I should at this moment have been in the enjoyment of my retiring allowance of £515 per annum, for it cannot be supposed that I should have undertaken the responsiblity of a far more onerous office unless I had had reason to believe that I should have been remunerated accordingly." Mr. Ryland took the same view as Chief Justice Carter himself did, as to his not being an umpire but a Commissioner acting on certain instructions. He demurred, however, to the basis upon which the report of Chief Justice Carter was founded. Mr. Ryland contended that he ought to have based his calculations upon the full value of the office which he had surrendered. It was perfectly clear, from the fact of Lord Sydenham having continued to Mr. Ryland the full salary from the time of relinquishing the first office to his taking the second, that it was his intention to guarantee the whole amount. It was also perfectly clear that no one would have surrendered an office of £515 a year, without anything to do, to take upon himself a responsible and laborious office of merely equal value for the rest of his days. He would put the case of a private individual coming into the possession of property which was subject to a rent charge, and his going to the owner of the rent charge and asking him to surrender it, and offering, in return, to give him a laborious office of the same amount for the rest of his life. Was it probable that such an offer would be accepted? And this was precisely the case of Mr. Ryland. In support of the case of Mr. Ryland, he was prepared to bring before them the evidence of a gentleman who was a witness to the whole of these transactions. He referred to Mr. Murdoch, the colonial secretary to Lord Sydenham. The judgment of that gentleman was perfectly impartial, and had no leaning whatever in favour of Mr. Ryland. That gentleman was prepared to testify that Mr. Ryland's view of the case was perfectly correct, and that the basis upon which Chief Justice Carter made his report, for award it could not be called, was unjust. On the 17th September 1844, he wrote as follows to Mr. Ryland:—

> "I have always thought and felt that yours was a case of peculiar hardship, and I have never failed when I have had an opportunity to say so, and to bear testimony to the correctness of your interpretation of the agreement between yourself and Lord Sydenham."

He would ask the House whether it ought not to hear the evidence of this impartial gentleman? Mr. Ryland had two claims to be inquired into in the Committee for which he now moved. The first question was as to the proper view to be taken of the original agreement made by Lord Sydenham; and the second question was whether Mr. Ryland was not entitled to interest upon the sum of money adjudicated by Chief Justice Carter from the day when that adjudication was made. Now, if that adjudication had been but just made, it would clearly have included all claims up to that time. There was another reason why this inquiry should be entered upon. Hard language had been used. Mr. Ryland had been called pertinacious, and he had been accused of making inordinate demands. He had been regarded as a kind of burr upon the Colonial Office. But Mr. Ryland was an honest man, and consequently a proud man. He was an injured man, and consequently he had spoken out the opinions that he entertained of the injury which he had received, honestly, frankly, freely. No doubt some of his expressions had not been so polite and agreeable as might be considered proper by the Colonial Office clerks and the petty dignitaries of Downing Street. If his hon. Friend the Under Secretary for the Colonies expected to put Mr. Ryland off with compliments and condolements the people of Canada would be much disappointed; what they wanted was not compliments and condolements, but an inquiry into his case. He would briefly refer to some of the objections that would probably be raised. It would be urged, no doubt, that the report of Chief Justice Carter had completely settled the matter, and therefore that nothing further could be done. Perhaps it might be said that Mr. Ryland had accepted the registrarship at Quebec as a speculation, and as that speculation had turned out unfortunate, Mr. Ryland was to be pitied, but nothing could be done for him. Perhaps also it might be said that it was purely a colonial question, and that the Imperial Government had nothing to do with it. First of all he demurred to the assumption that the report or award of Chief Justice Carter settled the question. It was no recognition on the part of Mr. Ryland of his claims having been satisfied that he had accepted the £9,000, for Mr. Ryland had been ruined by the injustice to which he had been subjected, and he had taken the £9,000 in order to obtain the means of subsistence. He must also say, that nothing could less deserve to be described as a speculation than this transaction, on the simple ground that no man in his senses would have surrendered a pension of £515 in exchange for an onerous office of the same amount. He also objected to the award on the ground that the contents of the letters which had passed between himself and Lord Sydenham showed what was the real nature of the agreement entered into, and because Mr. Murdoch, who could give the best evidence, had not been called to do so. As to this being a Colonial and not an Imperial question, he could only say, on Mr. Ryland's behalf, that if a Committee were granted to him, whatever might be the verdict of that Committee, he would be content with it. If they should report that it was a Colonial matter, then Mr. Ryland could go back to the colony, and do his best to obtain redress. Considering all the circumstances of the case he would submit that it was only an act of justice to Mr. Ryland that this Committee should be granted, in order that full inquiry should be made as to his rights. He believed that the Committee would take the same view of the case as himself—the same view that the Duke of Argyll had taken of the matter. The tradition of the Colonial office might be a tradition of stubborn injustice ; but, although Mr. Ryland had no friends in the country beyond those who sympathized with him in consequence of the treatment he had experienced ; and although he had not the assistance of the press to put forward his case, he trusted that his reliance in the House of Commons, and the assurance that they would not allow an injury to be inflicted without affording the means of obtaining redress, would not prove misplaced. He hoped that by assenting to this Motion the House would remove the impression which existed in Canada that the British Government in this instance persisted in an act of injustice solely because they felt they were the strong contending against the weak.

MR. JACKSON seconded the Motion.

Motion made and Question proposed—

"That a Select Committee be appointed to inquire into the arrangements under which Mr. G. H. Ryland was induced to resign the patent office of Clerk of the Council in Canada; whether that step was taken under a distinct guarantee from the Imperial Lord High Commissioner, Lord Sydenham; and, if so, whether that guarantee has ever been fully and fairly carried out by the Imperial Government."

MR. CHICHESTER FORTESCUE said, he thought the House would agree that his hon. Friend had done full justice to the very respectable gentleman whom he had taken as his client, and whose case he had brought under their consideration. The hon. Member was quite right in anticipating that he was likely to oppose the renewal of this, which was an old colonial question well known in the Colonial Office, well known in the House of Lords, and well known also to the Members of that House. But it stood, he must beg the House to observe, on an entirely different footing now from any which it had before occupied; and he must say that his hon. Friend had shown great gallantry in coming forward to take up the case of Mr. Ryland at the eleventh hour. The fact was, that the case was now in a totally different position from that in which it was at the time when the papers relating to it had been published, or when the Resolutions had been carried by a very narrow majority in the House of Lords by the Duke of Argyll. A reference had since then been made to an impartial authority, and an award delivered, which was carried out jointly by the Home and Colonial Administration. But, notwithstanding that, that award had been, he was going to say, assented to, but at all events accepted, by Mr. Ryland, he had succeeded in persuading his hon. Friend to take up the case and press for further compensation. As regarded the original transaction, he must say, that he viewed it in a different light from that in which it was regarded by his hon. Friend, and from that in which it had been placed before the House. Mr. Ryland was appointed by Lord Durham to the office of clerk of the Executive Council of Lower Canada; and, on the union of the Provinces being effected by Lord Sydenham, the office which he had originally held was absolutely abolished and done away with by an Act of the Imperial Parliament. One Executive Council was appointed for the entire of Canada, and in the interests of Canada Lord Sydenham determined that the new office of clerk to the United Council should be placed on a very different footing. Mr. Ryland, he had every reason to believe, was a gentleman of the highest character, possessing many friends by whom he was highly valued, and upon whose character it was impossible, however the House might decide the question before them, that the slightest slur could be thrown. It was certain, however, that he was a very strong politician of that day, and the change in the constitution of the Canadian Legislature having been made in favour of responsible government, and of the party to which Mr. Ryland was strongly opposed, it was deemed advisable for the interests of Canada solely, that that gentleman should not be reappointed to the office of clerk of the Council. Lord Sydenham accordingly entered into negotiations with Mr. Ryland, who consented very willingly and gladly to accept another office in lieu of it—that of the registrar of the district of Quebec. His hon. Friend had said that no one in his senses would exchange the office which he held for a worse one; but he forgot that one office was to be abolished, and that the other was expected by Mr. Ryland to prove far more lucrative. He did not say that Lord Sydenham shared those expectations; but surely nobody could maintain that the Governor General was bound to guarantee Mr. Ryland against any changes which the Provincial Legislature might see fit to make in the office to which he was so appointed, to an extent beyond the terms of the original guarantee. If Mr. Ryland had retained the office of clerk to the United Council of Canada, he must have been content with whatever salary was affixed by the Legislature. The terms of the original guarantee given by Lord Sydenham, were to the effect, that the difference between the salary attaching to any office to which Mr. Ryland might be appointed and the retiring allowance of £515 currency, to which he would be entitled, were his employment in the public service to be wholly discontinued, should be made good to him. Chief Justice Carter, in his award, declared that the construction of this guarantee was perfectly clear and that its operation extended solely to any deficit which might exist beneath £515 in the emoluments of any public office to which he was thereafter to be appointed. It was true, as stated by his hon. Friend, that Mr. Ryland had accepted this guarantee under a distinct protest, that his acceptance of this office must not be taken to bar any future claim he might have; but there were two sides to every bargain, and that protest could not be considered as in any way binding on Lord Sydenham, whose silence with respect to the letter containing that protest, if it needed any explanation, was to be explained by the fact that he was at the time suffering from the unfortunate accident which shortly afterwards caused his death; the letter reached him the very day after the accident had occurred, and during the week or ten days that elapsed before his decease took place no public business, except that of the most pressing and urgent character, was put before him. Thus Chief Justice Carter said, and everybody admitted, that the question at issue must turn on the guarantee. That guarantee however must stand on its own grounds; no authority, provincial or Imperial, could be bound by anything but its strict interpretation. Mr. Ryland's income proved to be much less than he had expected, and he therefore urged his claim—he would not say unjustly or improperly, but certainly with perseverance—both on the Home and Colonial Governments. He applied to successive Governors-General, and to successive Secretaries of State; and, first, the present Earl of Derby, then his right hon. Friend the Chancellor of the Exchequer, and lastly, Earl Grey, had decided each in stronger terms than the other, that the responsibility of carrying out Lord Sydenham's guarantee rested solely and entirely on the Colonial executive. Lord Metcalf had expressed an opinion in which he entirely concurred, that the arrangement was one in which the interests of this country were in no way involved; but that it had been entered into solely for political purposes connected with the establishment of a new system of Government in the colony, which ought therefore to be responsible for the claim. It would certainly have been more generous on the part of the Canadian Parliament if they had acknowledged the claim for compensation, but they had always steadily refused to do so. The case remained in this position down to 1855, when the noble Lord the Member for London, who was then Secretary of State for the Colonies, did certainly stretch a point, and make on the part of the Imperial Government a very handsome proposal. That proposal was that the whole case should be referred to an impartial arbitrator or commissioner, who should make his award, and that whatever amount he might consider was fairly due to Mr. Ryland, should be liquidated in equal proportions by the Imperial and Colonial Governments. The question then, was as to who should be the commissioner. It was thought unadvisable that he should be a Canadian; it was deemed inexpedient that he should be an Englishman; and therefore it was thought best that he should be some distinguished person with colonial feelings and acquainted with colonial views and interests. And accordingly the noble Lord secured the services of a very eminent person—Chief Justice Carter, of New Brunswick—who in course of time, reported that he had made his award to the effect that a sum of £9,000 currency should be paid to Mr. Ryland. Mr. Ryland, though he had not given a written promise to abide by the award, appeared before the arbitrators and furnished all the information he thought necessary. The Canadian Government, which had made no promise, at first refused to recognize its responsibility, and declined to pay its moiety of the £9,000, although the Home Government at once paid its portion—namely £4,500. The award, however, had now been carried fully into effect. His right hon. Friend the Member for Taunton (Mr. Labouchere) used his influence with the Canadian Government in order to induce them to bear their part. He did not succeed; but his successor was more fortunate and induced them to carry out the arrangement. Mr. Ryland had now received the 4,500 from the Canadian Government, and therefore the case stood upon a wholly different footing from what it did before the reference was made by the authorities of the Colonial Office. It was under such circumstances and in such a state of things that his hon. Friend had the courage to ask the House of Commons to reopen the whole question. Upon what ground? Could it be on account of the principle upon which Chief Justice Carter's award was founded. The Chief Justice was instructed to confine himself solely to the terms of Lord Sydenham's guarantee, and determine what amount of compensation was due thereupon. His hon. Friend was, however, of opinion that the inquiry ought to range over a much wider field. In that opinion he could not concur, and he should like to know what information his hon. Friend could hope to obtain beyond that already given in the papers before them. He spoke, indeed, of examining Mr. Murdoch, but he was authorized by that gentleman to say that he interpreted the guarantee as indeed any reasonable ordinary man would interpret it, and had no idea of any other construction being put on it than that which had been applied to it. He must say that the Imperial Government in their treatment of Mr. Ryland had gone even beyond the demands of strict justice, and had acted towards him with a generosity which they were not strictly bound to exercise. The award decreed that half the compensation should be paid by the Imperial and half by the Canadian Government. That amount Mr. Ryland had received. The question therefore now practically was, could it be the duty of the Colonial Office to advise the House of Commons to reopen the whole question by the appointment of a Committee. Such a step would imply a doubt, which his noble Friend the Secretary of State did not feel, as to the expediency of the course which had been pursued. In his opinion they had no right to impose upon the tax-payers of this country any further contribution towards Mr. Ryland, and he thought it would be unfair towards Canada, as well as towards this country, to consent to such a course. What would the Canadian Government and Parliament say if they heard that the House of Commons had consented, at the wish of the Colonial Office, to reopen the whole question, the Canadian Government having already paid £4,500 as a final settlement? Did Mr. Ryland wish for a Committee for any other purpose than with a view to obtain further compensation — namely, for the purpose of restoring his own character, or to get rid of imputations under which he might think he lay? If that were his opinion, then he must say he thought any such course was entirely needless. No tribunal was needed for any such purpose, for not the slightest stain or imputation rested upon the honour of Mr. Ryland. The only hard word that could be used of him was that he had pressed his claim upon the Colonial Office with pertinacity—that he had been a thorn in the side of the Colonial Office—but this could be scarcely said to be a very heavy accusation—such a charge as could only be cleared by the appointment of a Committee. He thought the gentleman might rest perfectly satisfied with the able statement made by his hon. Friend. After a careful study of the whole case, he felt satisfied that no useful or good purposes would result from the appointment of a Committee, and he therefore hoped his hon. Friend would not press his Motion.

Question put—

The House *divided*:—Ayes 20; Noes 235: Majority 215.

RAILWAY COMPANIES ARBITRATION.

LEAVE.

Colonel **WILSON PATTEN** said, he rose to move for leave to bring in a Bill to enable railway companies to settle their differences with other companies by arbitration. He was quite ready to answer any questions with respect to the Bill, but should at present confine himself to stating that its object was not to interfere with proceedings in Parliament, or with any law, but merely to enable railway companies to settle their differences with other companies by arbitration, a power which they did not possess under the existing statutes relating to railways.

Leave given.

Bill to enable Railway Companies to settle their differences with other Companies by arbitration, *ordered* to be brought in by Colonel Wilson Patten and Mr. Deedes.

IMPRISONMENT FOR SMALL DEBTS.

LEAVE.

Mr. **COLLIER** said, he rose to move for leave to bring in a Bill to limit the power of imprisonment for small debts exercised by the County Court Judges. Having been one of those who had assisted in the formation of County Courts, and who had frequently advocated the extension of their jurisdiction, especially in regard to the interests of the poor, he hoped that it would not be supposed that he was actuated by a feeling of hostility, either to those Courts or to the Judges who presided over them with so much learning and ability. He thought that, on the whole, the County Courts had worked extremely well, and with one exception had given general satisfaction. The power of imprisonment for small debts had been the subject of many newspaper articles in the provincial press. It had been presented by grand juries, and had been alluded to in the charges of Her Majesty's Judges. The Society for the Amendment of the Law, under the presidency of Lord Brougham, had given its attention to the matter, and a Committee of that body had made a Report. Under these circumstances, he trusted he should be pardoned if he detained the House by a brief statement of the facts. The power of imprisonment under process of the superior Courts was very different from that exercised by the County Court Judges. In the superior Courts imprisonment operated as a discharge of the debt, but not so in the County Courts. In the superior Courts a creditor had two courses before him. He might take either the goods of the debtor or the debtor's body. If he chose to take the body of the debtor, the law said his debt was satisfied; but not so in the County Courts. In the County Courts the power of imprisonment was a mere punishment which did not operate as a satisfaction of the debt. It was clear from the wording of the Act of Parliament that this was not the intention of the Legislature. The Act enacted—

> "That if the party so summoned shall not attend as required by such summons, and shall not allege a sufficient excuse for not attending, or shall, if attending, refuse to be sworn, or to disclose any of the things aforesaid, or if he shall not make answer touching the same to the satisfaction of such Judge, or if he shall appear to such Judge, either by the examination of the party or by any other evidence, that such party, if a defendant, in incurring the debt or liability which is the subject of the action in which judgment has been obtained, has obtained credit from the plaintiff under false pretences, or by means of fraud or breach of trust, or has wilfully contracted such debt or liability without having had at the same time a reasonable expectation of being able to pay or discharge the same, or shall have made or caused to be made any gift, delivery, or transfer of any property, or shall have charged, removed, or concealed the same, with intent to defraud his creditors or any of them, ... it shall be lawful for such Judge, if he shall think fit, to order that any such party may be committed to the common gaol or House of Correction of the county, district, or place in which the party summoned is resident, or to any prison which shall be provided as the prison of the Court, for any period not exceeding forty days."

A subsequent proviso enacted that imprisonment might be awarded for new fraud or subsequent default. The Legislature appeared to intend, in accordance with the reasonable interpretation of the clause, that, if the debtor did not appear, the Judge should institute some inquiry in his absence as to whether he was able to pay or not, and whether he had contracted the debt by fraud; and if he were able to pay, or if he had contracted the debt by fraud, then, and then only, was he to be punished, on his refusal to pay, by imprisonment. This was the interpretation adopted by most of the County Court Judges. But the House would be surprised to hear that some of them had put a totally different construction upon the Act, and had interpreted it as enabling them to commit a defendant merely for not appearing, and without satisfying themselves that he had contracted the debt by fraud, or that he was able to pay and would not. The consequence was, that sometimes a poor man who was unable to pay his debts, and was prevented from appearing before the Judge either by illness or by poverty—for the loss of one or two days' labour might involve starvation to him—was committed, without inquiry, and without proof that he was able to pay or had contracted the debt by fraud. The process was this—John Smith's name was called. The officer said he did not appear. The Judge thereupon said, "Summons served?" "Yes." "Forty days."—"John Noakes. Does he appear?" "No." "Summons served?" "No." "Thirty days." Many persons were sent to prison exactly in this way. The imprisonment was ordered without inquiry, and it was a mode of administering justice, which he was satisfied the House never intended to establish. From a Return moved for by the late Attorney General, it appeared that in the year 1858 the number of persons committed to prison for not appearing pursuant to summons, or alleging a sufficient excuse for not so appearing, without proof of fraud, was no less than 8,361. This had attracted a good deal of attention. The grand jury of the county of Bedford made a presentment on this subject, and the Chief Baron, than whom a more humane Judge could not be found on the bench, in charging them, said—

"But the point to which special attention is called is the fact that, although there is such a pleasing decrease in the number of criminal offences, there is a very large number of committals on orders from the County Court. The consequence is, that the expenses of the county, and he might add of the country generally, are largely increased. A man who was taken into custody once, was supposed to satisfy the debt he had incurred; and it was seldom the case that he could get out without some liquidation or satisfaction of the debt; but under this statute that is not the case, and the number of committals for debt has very largely increased. The expense of these debtors in this county averaged, he understood, 10*s.* 6*d.* per week. The Judge of the County Court has no power to commit beyond a certain number of days; but he has this power, that when the debtor comes out and does not pay the debt, he can again commit him; and there is one example of a debtor who was first committed in November, 1856, and he has been committed no less than eight times for the same debt. Five times he was committed for periods of thirty days, and three times he has been committed for periods of forty days. During the whole time of his imprisonment the county has paid 10*s.* 6*d.* a week for his support, and every time he has been taken up the Treasury has had to pay for his apprehension. He (the Chief Baron) believed that the county had better have paid this man's debt ten times over, and the Treasury had better have paid it twice over than that such a process of imprisoning and paying out of the public funds should have gone on. It really is impossible to contemplate such a state of things with any degree of satisfaction. The debtor referred to is upwards of 60 years of age, it appears, and he has been altogether thirty weeks in prison for this debt. A man might have committed a felony and had a much smaller imprisonment. The debt and costs originally amounted to £2 5*s.*; the amount has gradually increased from that sum in November, 1856, to £4 14*s.* 6*d.* in January, 1859, when he was committed, one would hope for the last time, for forty days. But he may be committed again, and there seems no end to it. He found that there were many others who had been committed over and over again. The number of persons committed from the County Court on these small debts had increased considerably; and he found that in the year ending last Michaelmas there were no fewer than eighty-six males and thirty-one females. Above 100 persons were so committed for debts and costs which amounted altogether to £274 9*s.* 9*d.*, the average of that being little more than £2 for each person's debt."

If this man, whose debt had been originally only £2 5*s.*, had committed a felony he would have been sentenced to a much shorter term of imprisonment. He might add, however, that the Judge of the County Court thus referred to by the Lord Chief Baron had taken the opportunity of replying, and giving him a Roland for an Oliver, saying that the Chief Baron could have had very little to do when he made so many irrelevant remarks; and to show his independence, when the old man came out, he recommitted him for the ninth time for forty days. But the learned Lord Chief Baron was not fully informed of the magnitude of the evil, for he (Mr. Collier) found that one County Court Judge in 1857 committed 546 persons, and another no less than 749 persons in the same year. These committals were increasing in number, so that it was confidently expected the committals for the present year would exceed by 2,000 those of the year before. He found also that there was a great discrepancy in the practice of the Judges. While one Judge had committed no less than 749 defendants in a year for non-appearance, another had committed only 183, although the latter had a greater number of plaints by no less than 3,004. Again, another Judge who had no less than 14,293 plaints before him had only committed 85 persons in the course of the year. It seemed to him (Mr. Collier), then, that as the Chief Baron remarked, this was a state of things which could not be contemplated with any degree of satisfaction. He did not desire to abolish this power of imprisonment, because he thought that in many cases it would have a wholesome operation. He was desirous that the County Court Judges should have power to make men pay their debts; and that to this end the power of imprisonment might be necessary. But what he wished was leave to introduce a Bill to confine their imprisonment jurisdiction to the cases which he thought were originally contemplated by the Legislature; that no Judge should imprison a man merely for non-appearance, or without being satisfied that he had contracted his debt by fraud, or that he had the means of paying. He contended that the proper explanation of the clause was, that in the defendant's absence the Judge should satisfy himself on these points by other means; and this was the interpretation put upon it by some of the most learned of the Judges. One other point which he wanted to secure was this. There should be some limited period of imprisonment. If a man committed a felony he was imprisoned for a determined number of months; but the law, as interpreted by some of the County Court Judges, gave no limit to imprisonment for debt. If the old man mentioned by the Chief Baron had picked his neighbour's pocket of property to the value of £2, he would probably have been imprisoned for two or three months; but because he did not pay a debt of that amount he had been imprisoned for four times that period. The limit which he would propose was this—that no defendant should be committed for more than twice forty days. [Mr. MALINS: Too long.] He was glad to hear that observation of his hon. and learned Friend as his own opinion inclined the same way, but still this would not be a quarter of the time this poor old man had already been imprisoned. He should propose that term—subject, of course, to such modifications as the House approved. In conclusion, he had to thank the House for the patience with which they had listened to him, and to move for leave to bring in the Bill.

MR. MALINS said, he rose to second the Motion. He considered the House was very much indebted to the hon. and learned Member for Plymouth for the manner in which he had brought the subject forward. For himself, the practice of the County Courts being out of his beat, unless he had heard the hon. and learned Gentleman's statement he could not have believed that such things were going on in this country. It was one of the misfortunes of the County Courts that the business was carried on without the controlling check of a bar. It was carried on in the country, and it was therefore desirable that the proceedings should be most vigilantly watched. It did excite his astonishment that upwards of 700 persons should have been committed by one Judge in one year for non-appearance, caused generally by poverty or ignorance. If the proposed Bill passed into law it would be a great public advantage, although for his part he went even farther, and said that the whole power of imprisonment ought to be most carefully guarded. In 1838 he rejoiced at the measures by which the abolition of arrest on mesne process was effected. Up to that time a creditor, merely on an affidavit of a £20 debt, could seize the body of the debtor; and he remembered hearing Gentlemen, many of them still living, argue that if this power were abolished, England's commercial greatness would be at an end. Now, no man would venture to point out a single mischief that had arisen from that abolition of arrest on mesne process. He contended that the abolition had been productive of signal benefit; and he desired to see the day when imprisonment for debt should be abolished altogether. Two courses were now open to a judgment creditor in the superior courts. Either he could issue a *fi. fa.* against the goods of his debtor, or a writ of capias by which to take his person. If he took the goods he could not also seize the person, and if he seized the person, and afterwards let him out of custody, the debt was discharged. There was no previous arrest, unless the creditor swore that the debtor was about to leave the country. And this principle he would like to see extended to all cases. A debtor should not be seized by a creditor as a matter of right; he should only be imprisoned on special application to a Judge. To give a creditor power to seize all the property the debtor had was quite sufficient. His hon. and learned Friend (Mr. Collier) proposed to give to the County Court Judge power of awarding eighty days' imprisonment. That was not a power that he (Mr. Malins) was disposed to give. He would much rather restrict this power of imprisonment, and with regard to the power of imprisonment for non-appearance, take it away altogether.

CAPTAIN STUART said, he also thanked the hon. and learned Member for Plymouth for introducing the Bill, as he could bear testimony to the hardships which were inflicted under the present system. In his own county many poor girls and women were induced to incur debts with travelling dealers, and some time after were summoned, and failing to appear were at once committed to prison. As a magistrate he could say that great expense was thrown upon counties by the present system.

MR. B. COCHRANE said, his only fear was that this Bill would be totally inadequate to meet the fearful tyranny which had just been disclosed to the House. He could scarcely believe that 8,000 persons had been committed to prison in one year for non-appearance. It was true that in those cases the Judge ostensibly committed for contempt of Court, but then everything was construed into a contempt. If a debtor did not appear, it was contempt of Court; if he could not pay the instalments which the Judge had fixed, that also was contempt of Court. Years ago he brought before that House the case of a man committed from a County Court, who was treated as a felon, and had his head shaved, in which condition he had to return to society on his liberation, after an imprisonment of three weeks. Of all tyrannies a legalized tyranny was the worst. It appeared to him that it would be better to introduce a Bill which would convey more strongly than the measure of the hon. and learned Gentleman the disapprobation which they must all feel of such oppression as that which he had denounced.

Mr. HENLEY said, he was prepared heartily to thank the hon. and learned Gentleman for having brought that subject under the consideration of the House. He wished, however, to draw his attention to a fact which seemed to have escaped, not only his notice, but also that of the other hon. Member who had spoken. The hon. and learned Gentleman had talked of "penal imprisonment;" but he had not informed the House that those parties were not really treated as debtors, but subjected to certain strict regulations issued by the Secretary of State, and that although they were not put to hard labour, they were exposed to special hardships in their diet and in other details of their treatment. The fact was, that these people were considered as fraudulent debtors. But there was every reason to doubt whether their cases were investigated at sufficient length to enable a Judge to decide whether or not their liabilities had been fraudulently contracted. In many cases the families of the unfortunate persons who suffered under this state of the law were maintained by the parish, while the prisoners themselves were maintained out of the county rates during their imprisonment; so that the punishment was merely vindictive. Whenever they should get into Committee, they would have an opportunity of considering all the details involved in the measure.

Mr. GEORGE CLIVE said, that the Government had no objection to the introduction of the Bill. On the contrary, they were of opinion that it was the duty of the Legislature to attempt to devise some remedy for the evils to which his hon. and learned Friend had directed their attention. But at the same time he must add that he did not believe that the House and those learned Gentlemen who were in the habit of commenting on the merits of the County Court Judges generally possessed that practical acquaintance with their proceedings which would entitle them to speak authoritatively upon such a subject. He agreed with his hon. and learned Friend the Member for Wallingford (Mr. Malins), that it was very much a question whether or not they should ever subject parties to imprisonment for debt. That was a point which was fairly open for consideration. But he rose principally for the purpose of explaining what was the mode of proceeding adopted by the County Court Judges in matters of that description; and he could state that he spoke upon the subject from a personal experience as one of those Judges, in one of the most populous districts in London, during a period of several years. His practice, and that of all the gentlemen who acted as County Court Judges in the London district, was very much of the nature of that to which the hon. and learned Gentlemen had awarded some praise; but he must say that it would be perfectly impossible to send an officer to search for a man in a district of twelve or fourteen miles, or to pursue a person in the metropolis, who perhaps had gone out of the way purposely to avoid the payment of his debt. As to the rapidity of the trials, it must be recollected that in nine cases out of ten the defendant admitted the debt; there was, consequently, no time required for that. Then, generally speaking, they had their own time for paying; the creditors were almost invariably very mild, both as to time and the amount of the instalments. If the debtor failed to pay, the usual thing was to take out a summons to show cause why he did not. Very often the debtor did not attend, because he did not wish to be cross-examined as to his means of paying. When that was the case, the creditor, whether he was hard, or dishonest, or otherwise, said that the debtor could pay; and further inquiry was impossible on the part of the Judge, for there was no one present of whom he could inquire. It might, however, be desirable to take away from the Judges this power of imprisonment altogether. In speaking of the number of imprisonments, it ought not to be assumed that all who were committed had been in prison, for the number was immense, in which payment was made rather than go to prison. Indeed, he had known frequent instances of debtors waiting outside the Court, unknown to the officer, until they had heard that they were committed, and then they would of their own accord come in and pay the debt. It must be admitted, that if there was no power of imprisonment, the debtor might set the Court at defiance.

Mr. BRISCOE said, it appeared from the Returns that the number of persons committed for non-appearance was 8,361, while the number of those committed for fraud, alleged and proved, was only sixty-nine.

Mr. COLLIER said, he had to thank the House for the reception given to his measure. The only objection made to it was that it did not go far enough, but that was a defect which might easily be remedied in Committee.

Leave given.

Bill limiting the power of Imprisonment for small Debts exercised by the County Court Judges, *ordered* to be brought in by Mr. Collier, Mr. Malins, and Mr. Atherton.

ARMY REGIMENTAL QUARTERMASTERS.

OBSERVATIONS.

Captain LEICESTER VERNON said, that in the notice paper there appeared in his name the following notice of Motion:—

> "That this House do resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that she will be graciously pleased to give direction that the benefits conferred by the Royal Warrant of the 17th day of December, 1855, upon Regimental Quartermasters retiring subsequent to the date of the declaration of war with Russia be extended, so far only as the honorary rank of captain is concerned, to those regimental Quartermasters who completed the period of service specified in the Warrant, but who had retired previous to that date."

The veteran officers in whose interest he had given notice of that Motion were advanced in age, being some seventy-five years old, and were limited in number, not exceeding thirty-nine. These men had come, not from that class, which it was the fashion to call "the Upper Ten Thousand," but had sprung from the people, who made the bone and sinew of the service — namely, the rank and file of the British army. They had enlisted as privates, and had raised themselves to the rank of commissioned officers entirely by their own merit. He would not occupy the time of the House by pointing out the various services which these men had performed, but he would give a couple of instances to show what was the nature of their merit:—Quartermaster Samuel Goddard fought with distinction at the battle of Waterloo and led the forlorn hope at the storming of Bhurtpore; Quartermaster M'Clellan, of the 10th Hussars, was publicly thanked for his extraordinary valour by general officers, no less than five times on five separate fields of battle. If such a decoration had existed at the time there was no doubt but that the services of these gallant men would have fully entitled them to the Victoria Cross. The House would be happy to hear that since he had placed his Motion on the paper the military authorities had taken the subject into their favourable consideration, and had promoted these old soldiers. One of the last acts of his right hon. and gallant Friend the late Secretary for War was to make arrangements for this purpose. A more gracious act could not be performed before leaving office, and he was rejoiced to find that the right hon. Gentleman who succeeded as Secretary of War carried out the intention of his predecessor. He had received a letter from Mr. (now Captain) Goddard, written before he was aware of his promotion, in which he expressed his sense of the disposition evinced both by General Peel and the present Secretary for War (Mr. Sidney Herbert) to deal considerately with the representations made to them on this subject, and especially to improve the position of officers who had risen from the ranks. On behalf of the officers he had mentioned he begged to return their grateful acknowledgments to the right hon. Gentlemen to whom he had referred.

Mr. SPEAKER inquired whether the hon. and gallant Member had not a Motion to submit to the House.

Captain LEICESTER VERNON replied that he had no Motion to make.

Mr. SPEAKER said, it was irregular on the part of the hon. and gallant Member, and contrary to the rules of the House to make a speech and not to conclude with a Motion.

VOLUNTEER CORPS.

ADDRESS MOVED FOR.

Mr. PALK said, that on rising to move an Address to Her Majesty with reference to the arms, accoutrements, and ammunition to be furnished to volunteer rifle corps, he wished to state that he had received communications from various parts of the country, from which it was evident that the statements made by the Government with regard to their intentions on this subject had occasioned universal dismay and disappointment. The circular issued by his right hon. and gallant Friend below him (General Peel) had been very popular, and the utmost readiness was evinced in rallying to the call for Volunteer Corps, because it was felt that that circular recognized the right of Englishmen to arm and organize themselves for the defence of their country—a right which was recognized in all foreign nations, and even enforced in some. The desire to adopt this course was not attributable to anything that was taking place abroad, but to the knowledge that the shores of this country were entirely open to attack, and that many of the forts maintained during the last war had in the long interval of peace been allowed to fall into a state of complete decay. Since the last great European war great convulsions had occurred in foreign countries, and great changes among the dynasties of the Continent, but amid all the changes which had taken place, one object had ever been foremost in the minds of the French Government—namely, the increase of the French navy, and the completion of those works which were commenced by the First Napoleon, and which were intended as means of attack upon this country. During this period, however, although great preparations had been made by other States, England had been totally quiescent. The shores of Russia were bristling with cannon, and were fortified with the greatest care, while her harbours were filled with steamers and gunboats; but England had altogether abstained from fortifying her coasts. Since the last war the introduction of steam, as applied to shipping, had caused ports which were previously deemed almost inaccessible by sailing ships to be most vulnerable, and to be the most likely to be assailed by any foe menacing these shores. He might instance the port of Dartmouth, the entrance to which was so narrow that during the late war it was supposed to be almost secure from attack by sailing ships; but the introduction of steam had rendered access to the port quite easy, and on more than one occasion French steamers had left the French coast and anchored in the harbour during the course of the same night, while it was well known that French ships had constantly been taking soundings on the coast. The plan of the Government seemed to be to encourage the formation of artillery companies in those towns where there were already fortifications and guns. This proposal, however, did not meet the cases to which he was referring. There might be some guns at Dartmouth, but he believed they were likely to be much more dangerous to those who fired them than to those at whom they were aimed. Dartmouth and many other places on our coasts, were, from their natural positions, peculiarly susceptible of defence, and if batteries were erected, and artillery volunteer corps were raised in their neighbourhoods, they might, in case of necessity, be defended by these volunteers until the succour of regular troops could be obtained. He believed that a force of this description, especially with the aid of volunteer rifle corps, would render the landing of any hostile force most difficult and hazardous. He thought, however, that the plan of the Government was extremely unsatisfactory. They proposed that twenty-five rifles should, under certain conditions, be supplied to every 100 men. One of these was that there should be a proper range for practice, while another was that there should be a proper place for the custody of the arms; another that there should be a military inspection of each corps; and another that its rules should be subject to the approval of the Secretary for War. He should be glad to know from the right hon. Gentleman whether he proposed that the supply of arms should be limited to twenty-five for every 100 men enrolled, or whether the remainder of the corps were to be allowed to provide arms for themselves. He also wished to know if volunteers were allowed to provide arms for themselves, how those arms were to be obtained. He was informed that all the manufacturers of arms in Birmingham and London, the only places besides Enfield, where the proper weapons could be obtained, were under contract to supply arms to the Government, 2,500 rifles a week being furnished from Birmingham, and 1,200 from London. He believed that unless greater facilities were afforded for obtaining arms the establishment of rifle corps would be materially interfered with. Considerable doubt existed as to whether the Government intended that the volunteers should be organized in regiments or in separate companies, and he had received a copy of resolutions which had been forwarded to the Secretary of State for War by the Bristol Volunteer Rifle Corps, expressing their regret at the statements made on this and other points by the Government. He also held in his hand a letter from an officer who had been selected as major of one of these corps, and who stated that he could hardly suppose that the regulation as to forming companies and not regiments was intended to apply to large towns. This opened a very wide question. To what extent did the Government mean to go in its attempt to raise volunteer corps? Were they to accept the services of every corps irrespective of locality, which presented itself. If so, even on the moderate percentage of twenty-five rifles to every 100 men they must be prepared for a large outlay upon arms and equipments. On the other hand, if they adhered to the view which seemed generally adopted by the late Government, that the volunteer rifle corps should be at first formed as accessaries to the regular service, they could not do better than to organize them in companies, because it would be necessary on the coast, where they had not large towns like Bristol, Birmingham, and Manchester, to trust to the villages, and it would be much easier to get a company together in a district than to march men from great distances to form portions of other corps. The country had a right to demand that in all circumstances its shores should be rendered safe from insult or attack. Some said there was no danger abroad, and they could not account for this constant fear of invasion, and the other night the gallant Admiral the Member for Southwark (Sir Charles Napier) was twitted when advocating the increase of the navy by another hon. Member, for his constant fear of invasion; but on the throne of France there was a ruler, who, if he had kept faith with us, had broken it with his subjects; who, if he had been true to us, had been false to that republic which he had sworn to maintain. Not many months ago, too, the language of the French colonels had raised a storm of indignation; nor was it long since they had been informed that the preparations then making by the Emperor of the French were intended merely to replace the losses occasioned by the war in the Crimea, whereas it now appeared that they were sufficient to enable him to engage in a European war. Without disputing, then, the Emperor's good feeling towards this country, but looking to all the contingencies of the case, and having regard to the power which that great ruler wielded—having regard, above all, to his acts rather than to his words — we might entertain more confidence in the maintenance of peace if our population were duly organized and properly drilled to repel foreign attacks, and if greater attention were paid to the fortification of those portions of our coast which circumstances had rendered more vulnerable than they used to be. He would therefore conclude by moving—

"That this House will, upon Tuesday next, resolve itself into a Committee to consider of an humble Address to Her Majesty, praying that she will be graciously pleased to give directions that the necessary arms, accoutrements, and ammunition be furnished to Volunteer Rifle Corps, under the provisions of the Act 44th *Geo.* III., c. 54, as well as to Artillery Corps in maritime towns, and to assure Her Majesty that this House will make good the same."

CAPTAIN JERVIS, in seconding the Motion, observed that if the rule laid down by the Government were adhered to, the small arms could only be supplied to the extent of a few thousand of second-rate guns, which were in the stores of the contractors, and were sold by the gunmakers at £5, probably not being worth £2. It was, of course, impossible to give as good a supply as could be wished, but he understood that his hon. Friend only wished to inquire into the whole subject. His object was also to ascertain from the Government whether, when the corps had been formed and drilled, they would be supplied with arms to the extent of 100 rifles to each company, so that they might be ready to act in case of invasion. The assembling of men to shoot at targets was merely a preliminary matter; the great point was to have them trained and prepared for actual warfare. As to the clothing of the men, that was a point of some importance. If the men were ever to be rendered available, they must have suitable clothing. A great many persons had contended that the proper attire consisted of an ordinary shooting-coat and a wide-awake hat; but they seemed to forget that an important point was to dress the riflemen in such a way that in case of their being taken they would be treated as prisoners of war, and not merely as peasants taken in a hostile country with arms in their hands, and who by the rules of war were subject to be hanged like so many dogs. ["No, no!"] Hon. Gentlemen would perhaps accept the authority of the late Duke of Wellington on that subject. On the entry of the British troops into France in 1814, there was some rising against them of the peasantry, and in a despatch to Marshal Beresford, the Duke said, "If I have to complain of this or other villages again, I will treat them as the French treated the peasantry in Spain. I will totally destroy the villages and hang all the peasants in arms." If the Duke of Wellington would do that for the protection of his soldiers the House need not expect that a French force would act more leniently in this country. It was, therefore, not a mere matter of fancy but an important point so to clothe the Rifle Corps that they should be recognized as prisoners of war in case of any of them being captured. He hoped that, in a matter requiring such serious consideration as the present, the

Government would make some statement of what was in contemplation with reference to the more efficient drill and discipline of the Volunteer Corps.

Motion made and Question proposed—

MR. HENRY BERKELEY said, that the House was indebted to the hon. Gentleman opposite for bringing this matter forward. The question was one that deserved the most serious consideration, and one on which the House ought to express an opinion. There could be no doubt that England was less prepared to resist an attack in case of invasion than any other country in the civilized world. The question of preparation simply amounted to this:—If they were prepared, they had men sufficient, and they only required to be furnished with that which constituted courage, namely, discipline; for, in the event of invasion, without discipline the inhabitants of a country, however individually brave, would become a frightened rabble. Thiswas an opinion which every military-man in the House would endorse. As it appeared to him, both the present and the late Government had been wrong in their view of this question. The first occasion on which this subject had been brought before the Secretary for War was by the people of Bristol, who waited on Lord Panmure for leave to form a rifle corps, but Lord Panmure would have nothing to do with volunteer corps. He himself had subsequently laid an address before his right hon. and gallant Friend opposite (General Peel) in which the mayor, corporation, and people of Bristol desired permission to arm. First of all this had been denied to them, but when it appeared that the desire was general throughout the country permission was granted to form a corps, which was accordingly done. His opinion, not being that of a military man, was probably not worth much, but he gave the preference to the formation of companies over regiments. But he certainly did not consider, however, that the proper way to form a regiment was to commence with the staff and band; what was required was that men should be drilled to the practice of the rifle, and that in case of emergency they should be disciplined to a certain extent, but not disciplined with all that paraphernalia and pipe-clay which is deemed necessary at the Horse Guards. From time immemorial it had frequently been the fact that the undisciplined adherents of an army had done more execution than the army itself. In the American war the battles of Bunker's Hill and Lexington had both been won by irregulars; for though Bunker's Hill was claimed by us as a victory, still it led to future disasters in teaching the Americans their own powers of fighting. In those days it was supposed that no soldier who was not well set up with an enormous stock, pig-tail, and pipe-clay to any extent could be of any service in an action; and it was well known that the Americans after shooting those extraordinary looking objects from the works of Bunker's Hill actually went to view their corpses as curiosities. The British authorities then said it was all very well for the Americans to fight with their rifles, but let our soldiers come at them with the bayonet, and they would soon rout them; and great slaughter did take place when they came up to them, but that was simply because the Americans had no bayonets. At Lundy's Lane the Americans showed themselves well able to use that arm. But to show how the pipe-clay system was invariably adopted by all the authorities, when the Americans got up an army they did not arm them with the rifle but with the musket, and the only place in which the superiority of the rifle was tested was at the battle of New Orleans, by an American irregular force, where the slaughter was so extreme that a rifleman might seem to have been shooting deer in some small park. During the French war, in which Napoleon I. contemplated the invasion of this country, the volunteer was armed and clothed by the Government, and he conceived that a similar course should now be adopted. There were sufficient reasons for such a measure. In the first place, the arms, if supplied to the volunteers, would be the property of the Government, and would not belong to the men, which he held to be objectionable. In the second place, if they allowed or made it incumbent upon the volunteers to clothe and arm themselves, they would exclude from that force the very best men in the country, the working classes, and confine the movement entirely to the middle classes, for no working man could afford to purchase his uniform or his weapon. Of the two propositions which had been made he preferred that of the late Government, which was to let the members of these corps arm and clothe themselves. But the idea of giving them a per centage of arms was, he thought, to cast great discouragement on the movement. For, did the House for one instant believe that 25 out of every

100 men would meet for drill, and that the remaining 75 would walk up and down with their hands in their pockets? These men naturally would obtain arms also, and then they would have a magpie set of troops got together—half-armed,—each man his own master, and all discontented with the Government. He hoped that the Government would take this question in hand, and that if the volunteers were to be called out, the movement would emanate from the Executive. If arms and clothes were not to be given, then he hoped all reasonable encouragement would be afforded to the middle classes — as in that case to obtain the assistance of the working classes would be hopeless. Above all, he thought his hon. Friend could not be too cautious in recommending that suitable practice grounds should be secured — so that the public might not be liable to the amateur practice of those gentlemen—because he could speak from authority in stating that at the present moment it was becoming rather dangerous. Only two days ago he had received a letter from Bristol in which it was stated that a gentleman and two ladies were out walking, when something whizzed by just over their heads. One of the ladies said "Is it not rather too early for a cockchafer?" when, just at the moment, another passed by and struck against the wall opposite. The gentleman went to the spot, took out his knife, and had the satisfaction of digging out from the wall a Minié bullet. They had another very fine volunteer force in those old friends of his, the yeomanry. That body consisted of very fine men, but they were very ill-disciplined. He believed that in certain parts of the country attempts were being made to bring that force into something like better order; and here he believed rifles might be introduced with very good effect. Some such thing had already taken place in Kent and in Devonshire, and he believed if the yeomanry throughout the country were armed with the rifle, particularly with Terry's breech-loading carbine introduced by the late Government, and trained as the Cape Mounted Riflemen were, to exercise on foot as well as on horseback — he believed that from the rapidity with which their movements could be accomplished and directed to any point, they would be an invaluable force for the defence of the country. As he had always given his opinion boldly with regard to the yeomanry, he thought it only fair to make this statement with equal candour. He had never failed to do justice to them as men who would do their work if they knew how—and he only hoped that hon. Members who belonged to that force would teach it to them.

Colonel DICKSON said, that having had the experience of some twenty-five years in Her Majesty's service, he rose to express his sincere hope that both the House and the Government would be very cautious how they gave encouragement to the formation of these rifle corps. He was not one of those who dreaded invasion. He had no fears that any one, even the Emperor of the French, would be such an idiot as to attempt a descent upon our shores. But he feared that unless we exercised very great discretion we might find ourselves drifted into the war now raging in Europe; and certainly he would oppose no reasonable vote of money that was demanded for the improvement of our forces, and especially for the increase and efficiency of our navy. After the navy came our army, which required a great deal of improvement; and then came the militia, on which a considerable sum of money was expended, and which might be rendered much more efficient than they had hitherto made it. They ought therefore to be careful lest by giving encouragement to volunteers they did not abstract that portion of the population more immediately available for the militia. For this reason he thought that every sum of money taken from other sources of defence to form rifle corps was just so much money thrown away. If they were to be at any expense at all with these rifle corps, it should be in serving out the ammunition at cost price, in order that they might be obliged to keep their weapons all at the same bore. He thought he gleaned from the observations of the Secretary of State for War the other night that he was not quite sure that it would be desirable to give too much encouragement to those rifle corps. The right hon. Gentleman seemed to think that if he did not support the rifle corps movement he would be accused of running counter to the feeling of loyalty in that respect displayed in the country. But he (Colonel Dickson) hoped no Government would allow themselves to be influenced by a feeling such as that. He trusted the Government in the course they might take on this question would confine themselves to the formation of artillery corps in maritime towns, which would be a valuable means of defence, and that they would not give countenance to what he apprehended would prove a very useless force.

Lord HARRY VANE said, there could be no doubt that the shores of this country in many parts were very inadequately defended, and that it might be possible for an invasion suddenly to be made where no immediate force could be brought to bear in repelling the attack; but it did not follow that a volunteer rifle corps would be the force best calculated to resist it. If we gave encouragement to them we could not do so under the belief that they would be adequate in themselves to afford all the requisite protection. He agreed that it was extremely doubtful whether the large amount of public money necessary for clothing and arming those rifle corps might not be more judiciously spent. He thought it right in the case of all maritime towns that power should be taken for establishing guns and something like a volunteer maritime artillery for an immediate purpose; but in doing that we ought to take especial care that we did not entirely rely on such a force. Steps should be taken to ensure the concentration of an adequate force on particular points of the coasts in case of a sudden emergency by means of railways and other means of rapid communication, and on which more reliance might be placed than on rifle corps. He found the greatest diversity of opinion prevailing with respect to those corps, and that diversity appeared also to obtain in that House. At the same time it could not be doubted that something must be done in the matter. It was clear at the present time the Government could not supply a sufficient store of arms for all the corps formed and forming throughout the country; and he thought all that was reasonable and necessary for the Government to do was to furnish adequate materials simply for practice. The subject, however, required to be sifted, and he trusted that soon they would be enabled to arrive at some definite conclusion.

Mr. W. E. DUNCOMBE said, he could not concur either with the noble Lord who had just sat down or with the hon. and gallant Member for Limerick (Colonel Dickson). It was an indisputable fact that from one end of the country to the other extreme anxiety was shown for the establishment of additional means of defence. In proof of that he might mention that at a meeting held recently in the division of the county (North Yorkshire) which he had the honour to represent, it was stated that in the small country towns and villages large numbers of volunteers had already been enrolled. He thought, however, that the rules introduced in reference to the organization of Volunteer Corps in large cities would not apply to the country districts. He felt convinced both the present and the late Secretary of State for War were anxious to see these Volunteer Corps placed upon a wise, safe, and efficient system; but he would suggest that it would not be desirable, if it were even possible, to organize a larger force than companies in the country districts. There was a great disinclination on the part of men in those districts, willing to join a Volunteer Corps, to leave their avocations and go any great distance from home for purposes of practice or drill; and he would suggest that in rural districts companies alone should be formed in each petty sessional division, and that more than one practice ground should be allowed to each company, as was contemplated in the part of the country with which he was more immediately connected. There could be no doubt that the navy was the first line of defence of the country, but it possibly might be broken through on some dark night, and considerable mischief might be created by the landing of a body of troops. He felt convinced, from the spirit he had seen displayed, that the country was anxious to support the Government in the organization of Volunteer Rifle Corps, for the reason that the people had not sufficient confidence in the defensive power of the kingdom, and that they considered it was not such as the large sums of money voted every year for the express purpose ought to secure.

Mr. BRISCOE said, that the difficulty in dealing with the Rifle Volunteer Corps arose from the uncertainty as to the intentions of the Government. Neither the late nor the present Government had stated whether the proposed force was to assume a permanent character. It was supposed by the public that the Rifle Corps were only recognized for a temporary purpose, and to meet a threatened invasion. Now, he was not one of those who believed that the Emperor of the French meditated an invasion of this country. He had heard with great pain and regret the remarks made in "another place" upon a friendly and neighbouring Power. He had no hesitation in saying that the Emperor of the French had behaved with perfect fidelity and honour to this country; but a portion of the English press had thought fit to indulge in animadversion, invective, and abuse with regard to the Emperor, which ill became the press of a free country in speaking of a friendly Power. If these writers wished to be on terms of peace and amity with France they ought to abstain from the use of such language. During the last autumn he had travelled through a great part of France by Dijon and Avignon towards the Mediterranean. He had taken a great deal of pains to learn the sentiments of the people of France towards this country, and he found an extreme desire to cultivate the most friendly relations with this country, but they complained greatly of the language of a portion of the English press. It was impossible that the Rifle Corps should be an effective force without large assistance from the Government. The uniform might be found by individuals, but the arms and ammunition ought to be supplied by the Government. To supply only 25 per cent with rifles was a great mistake, because if an invasion should take place the whole country must be supplied. There was no other country with 30,000,000 of people which relied for its military protection upon 30,000 soldiers. The late Secretary for War said that the Government did not possess a sufficient number of rifles to justify their distribution to the Volunteer Corps. The right hon. and gallant Gentleman, however, said that they were coming in at the rate of 1,500 per week instead of 1,000, which had formerly been the rate of supply. He trusted the Government would look at the subject boldly, earnestly and patriotically, and not with reference to what the Chancellor of the Exchequer might suggest in the way of saving a few pounds, for he was quite sure the British public would cheerfully pay any amount of money for their protection, so long as it was economically and wisely laid out.

General PEEL said, that as he had been appealed to by the hon. Gentleman, perhaps the House would permit him to state the views of the late Government on this subject. The circular issued by them did not arise from any fear of invasion on their part, but solely in consequence of the numerous and urgent applications which were made to them for permission to form rifle corps, on the express understanding that they were to be of no expense to the country. The first application was from Bristol, and no sooner was that granted, and the Government circular issued, than numerous applications were made to them to supply rifles. Those applications were refused on two grounds; in the first place, because there were not rifles enough in store to justify the Government in spreading them all over the country. The number of rifles then in store was 170,000, out of which the disembodied militia were to be furnished. The late Government made contracts for the supply of every rifle that could be produced in this country for the next two years. They then turned to Belgium, but before entering into contracts with the manufacturers of that country they applied to the Belgian Government to know whether their contracts with Belgian manufactures were likely to be interfered with, and whether there was any probability that the rifles would not be supplied. The Belgian Government replied that there was no probability of such an event, and contracts were then made with Belgian manufacturers. Contracts were now made for every arm that could be supplied in this country, and the weekly supply had been increased from 1,000 to 1,500 in the manufactory at Enfield, and yet after supplying the whole of the regular army and the militia there would only be 300,000 rifles in store at the end of two years. He quite agreed with the right hon. Gentleman (Mr. Sidney Herbert) that if the Government gave the Volunteer Rifle Corps 25 per cent of rifles for drill and practice it would be quite sufficient. The companies would only have one musketry instructor at a time, and 25 per cent would be quite enough for rifle practice and drill. They must bear in mind that there was a great deal for riflemen to learn, besides the mere practice with the rifle. Unless, for example, they learnt the bugle sounds and were acquainted with all the drill and practice of riflemen they would be found perfectly useless as soldiers. He was aware that there was an opinion that this drill was not a difficult one, but he himself had been three years in a rifle regiment, and also in a light infantry regiment, the 71st, and he could assure the House that the rifle corps required more drill than any other. He hoped his right hon. Friend (Mr. Sidney Herbert) would adhere to his determination that the volunteers should be raised in companies instead of larger bodies, for they would not then require the degree of drill which would otherwise be necessary and make it irksome to the volunteer, and such a plan would be much more advantageous. It had been the intention of the late Government to have a drilled but not an armed population; but if it should be necessary to call them out, then to supply them with everything needful. Meanwhile, however, it should, as far as possible, be a voluntary movement. Those who provided themselves with arms and accoutrements were not likely to join the militia or the regular forces, and it was very important that the recruiting for those services should not be interfered with. The hon. Gentleman had represented the number of troops in this country as much smaller than was actually the case. The number of troops of one kind or other in this country, including militia, was, when he left office, about 110,000; there was also a larger force of artillery than at any former time, and he believed it was in a most efficient state. It was most important to encourage the proposed Volunteer Artillery Corps. We had 3,600 guns in position, requiring ten men to work each gun, or 36,000. This being so, it was useless to talk about erecting more fortifications, for they required garrisons and troops which we had not got. The most efficient means of protecting our coast was, perhaps, by movable batteries, of which fifteen were already complete, and ten more ordered, so that here would be 150 movable guns which might be placed on any part of the coast, and when we had got these batteries composed of Armstrong guns, they would form the best possible defence which the country could have. Every effort should be used to induce the inhabitants of seaport towns to join these artillery corps; they should be supplied with ammunition and guns, and it might be even expedient to pay them for their services when engaged. If, however, these rifle volunteers generally were supplied with arms and ammunition, many would come forward and join them who would fire away a great deal of ammunition, and then perhaps retire from the corps altogether; for the Government, it should be recollected, had no hold upon them whatever. With regard to our coast defences, there were now in course of construction fortifications which would cost £2,000,000, and, including those that were contemplated, £4,000,000 would be spent in this way. Now, he said, on bringing in the Estimates that the House would do well to consider whether these were necessary or not. If they were, it was not right to vote the money in driblets, and to wait for their completion at their present slow rate of progress. Not that he feared invasion, and he believed nothing had ever fallen from him implying that he had any such dread; but at the same time they ought always to be prepared. At the present moment, he thought it hardly possible to decide what fortifications were necessary until the effect of rifled guns upon masonry and earth-works had been fully ascertained, and his belief was, that fortifications were now being built which might prove of very little service. As far as recent experiments had gone, the effect of rifled guns was less upon earthworks than upon solid masonry. It was obvious also, that fortifications constructed to meet a range of 4,000 yards would be almost useless against artillery with a longer range. It was proper, therefore, to decide what fortifications were necessary, and then to complete them as soon as possible. He believed that these volunteer rifle corps might be made of the greatest possible service. If, however, the Government interfered too much, they would probably defeat their own object. The various corps should be left to appoint their own hours of drill, and to lay down their own rules as far as possible; Government interference would only be likely to disgust them, and they would much prefer to be left to themselves.

Lord ELCHO said, he quite agreed that nothing was less becoming to a great country like England than periodic or chronic panics about invasion. He had not risen to defend the language that had been used towards a neighbouring Potentate either by the press or by individuals. He had just listened in "another place" to a speech made by a noble and learned Lord (Lord Lyndhurst) upon our national defences, and it was because he believed that the House of Commons could hardly be expected to vote any increase to our already enormous Army Estimates that he thought it essential to have some additional means of permanent defence. This volunteer movement might be made a useful adjunct to the regular services. It was a fashion, indeed, amongst military men to say that volunteers would be of no use, and would in fact be in the way; but, though it might be presumptuous in him, he inclined to a contrary opinion. Besides, what else could be done? The most intelligent classes of our population were at present of no more use for purposes of defence than so many old women. Take the 600 and odd Members of the House of Commons, for example. Most of them—except those, perhaps, who swore themselves off election Committees—were able-bodied; at least, their constituents believed they were, considering the duties expected of them with the Thames in its present state; but in the case of invasion, only those hon. Members who had been in the army or militia would be of the slightest use. Of the upper ranks of artizans, and those engaged in trade and commerce, the same might be said; and the ex-Government simply intended that that class should, by a certain amount of training and organization, be useful, upon an emergency, for the defence of the country. With all deference to the opinion of military men, the country would be in a safer position against invasion if so large a number of the population were organized and made available. He had calculated that if the people of London volunteered for these corps in the same proportion as the population of Brescia volunteered for Garibaldi's corps, there would be in the metropolis alone upwards of 200,000 volunteer riflemen. The history of the Tyrol, of America, and of Switzerland proved the value of these riflemen in repelling an enemy, and in Italy the free corps commanded by Garibaldi had been of great service. The letters of *The Times*' correspondent on this point showed that these men learned their drill in an incredibly short space of time, simply because they belonged to the most intelligent classes of the community. Let the Volunteer Corps be properly organized, and he believed there was enough of spirit in our people to save us both from real dangers and from periodical panics. The Government had exercised a wise discretion in giving a proportion of arms, and he had no doubt their judicious liberality would be duly appreciated by the country as regarded the question of raising these corps.

COLONEL DUNNE said, if the noble Lord were correct in his estimate of the number of men that would volunteer they would certainly be of some use if they were disciplined; but he was of opinion that those men would not undergo the necessary amount of discipline requisite to render them of any service to the country. He thought that we could not place the slightest dependence upon the volunteer corps. They would never consent to become regularly drilled soldiers. The noble Lord said, "Let the House turn its attention to arms." Well, he (Colonel Dunne) had served in the army, but if he were called into active service, he should be very much inclined to look at the man next him to see what he ought to do. No doubt undisciplined volunteers might be useful in a country where they were well protected by woods and other natural shelter. But let them take the case of Perugia the other day. There the bravest men were unable to make head against the Swiss battalions. He would ask the right hon. Gentleman the Secretary for War how many volunteers had we in Great Britain at that moment? He did not believe we had more than 5,000. We should be deceiving ourselves if we thought that these volunteer corps would be of the slightest use except to excite a spirit for enlistment. It was the trained soldier upon whom we must rely for repelling an invasion. It was, no doubt, well to encourage this spirit of forming Volunteer Rifle Corps; it would be an amusing plaything for the people. But as regarded the military defences of the country, every one who had the experience of a soldier knew that they would not be of the slightest use unless they submitted to a regular course of military discipline. As to drill, it was a fact that the militia generally learned faster than the regular soldier; but the information they acquired was not so permanently impressed on them as upon the latter, in consequence of being at liberty after a few years to return to their homes. We must have 150,000 thoroughly disciplined men under arms to defend this country.

SIR JOHN SHELLEY said, he could not but express his regret that the hon. and gallant Member seemed desirous to throw cold water upon this subject. No doubt the hon. and gallant Member was a great military authority, but he would forgive him if he said that at his (Sir John Shelley's) time of life he felt no great respect for great military authorities as far as progress or improvement was concerned. Had the country been left to them, our soldiers would now be armed with the old-fashioned "brown Bess." He thought the House was much indebted to his hon. Friend for bringing forward this Motion. It might be true that there were no more than 5000 volunteers at present but the fact was that nobody knew how to act. There would be no lack of men when they knew better how to set to work, and he hoped the Government would tell them in what way this corps was to be brought up so as to be of the greatest use. There was no wish on the part of the volunteers not to submit to drill or to become useful. He would only say that he thought the proposal of the Government to furnish 25 per cent of arms to the volunteers was extremely wise, for twenty-five men would thus become skilled in the use of the weapon, and the same arms would teach twenty-five men more.

COLONEL DUNNE, in explanation, disclaimed any wish to throw cold water on the movement. He had merely spoken of what he considered likely to be the result of the movement.

MR. SIDNEY HERBERT: Sir, I think the discussion which has taken place has been a very useful one. There is no doubt great diversity of opinion upon matters of detail, both in this House and in the country on the subject of Volunteer Corps, but at any rate by discussion we shall come at last to know what it is we want. I have been asked whether or not the Government ever contemplated the Volunteer Corps becoming a permanent force. If these corps turn out as useful as I hope and expect, they will become part of our permanent establishment; but when I say that I do not mean that for twenty or even 100 volunteers a single regular soldier will be displaced. We are willing to make as perfect a soldier as we can of every man who is willing to take our pay and subject himself to our discipline. In this country, however, there is very little military spirit. There is much martial but very little military spirit, although even in this House a great change has taken place since the militia was called into existence. Formerly the Army Estimates were discussed very coldly, almost the only speakers being a few military officers; but now we see how much the existence of the militia has spread a military feeling and imparted military knowledge to gentlemen of influence in their respective localities. That feeling, however, has hitherto been confined to the lower and to the upper ranks of society. What we want now is to get the middle classes imbued with an interest in our own means of defence, and I think the Volunteer Corps will be useful in doing that. My right hon. and gallant Friend the late Secretary for War has doubts, on account of the state of our stores, whether it was wise to issue rifles to these corps. If the present state of our stores had been permanent, I should have hesitated to have pledged the Government to that step, but seeing there is a rapid increase every week, and that next year our stores will be much enlarged, I thought that it was right to issue a portion of these arms, and instead of allowing them to remain useless it would be better to have men behind them engaged in the practice of military exercises. If we had asked the Volunteer Corps to arm and clothe themselves, and pay for their own drill and musket instruction, and done nothing for them in return but put them under military law, the effect would have been discouraging in the extreme. We must have some influence over them, and unless there is some equity in the dealings between us, we cannot expect them to pay due deference to the military authorities. Such, at all events, were the reasons which induced us to offer arms, as far as our means would permit. I have been asked what we would do for them in case of war. In case of war, of course, they would be armed; but those who point to the times of George III. ought to recollect that circumstances are very different now from what they were then. People talk in a very loose way about invasion, but at that time it stared us in the face in the practical shape of a large camp within reach of our telescopes, and we were obliged to call out every man, and both dress and arm him. As regards dress, the gallant officer opposite fears lest the Volunteers, having no uniform, should, in case of war, be mistaken for armed peasants, and shot down without mercy. Now, at present my only fear is that instead of being negligent in that particular the Volunteers will be rather too fond of uniforms; at all events, we need be under no apprehension that in case of war they may be improperly dressed. As to raising them in companies or battations, there is a broad distinction to be observed. In thinly populated districts it would be impossible to raise them in battalions, for you may depend upon it that men engaged in the ordinary pursuits of life will not consent to attend drill or practice at a distance from their homes. There is a question as to whether these Volunteer Corps should be formed into battalions or companies. In case of war you must form into battalions, and therefore it will be a great advantage if some of them have a knowledge of battalion drill. There will be great facilities for this in large towns, where you can raise a sufficient number of companies to form a battalion; and it may be accomplished in the manner which I to-day suggested to a deputation of gentlemen who are raising several companies, and wish to have them formed into a battalion. I explained to them the difficulties which attended that course, but said, "If you are going to raise eight or ten companies let the gentlemen who have the management of them combine, let them all have the same uniform and the same code of regulations, and they can then at any moment be formed into a battalion without the slightest difficulty or expense," and the Government will be ready to entertain the proposition. I have stated that the Government are very anxious to promote the formation of these corps. As auxiliaries I believe they will be most useful. If ever they are made a substitute for a regular force, I believe they will be most mischievous. But that is not our intention nor theirs. The hon. and gallant officer (Colonel Dunne) says that without discipline a population is useless; but is not that a reason for attempting to drill them while you can? Every one says that you must keep up a large store of muskets—so many for the regular army, so many for the militia embodied and disembodied, and, beyond this, 200,000 or 300,000 stand of arms for arming the population; but, if you are going to arm the population surely it is wise to give them as much knowledge of the duties as you can. For all these reasons the Government feel most grateful to the gentlemen who have undertaken the formation of these corps. They have done so at the sacrifice of much time and often of lucrative employments, and I think that the country owes them a debt of gratitude for the exertions which they are making. I trust that in this House hon. Members will not press too hard upon the Government with the different views and theories which they may entertain. I think that we have got into a good groove, and that by steadily pursuing it we may effect much good, especially by the formation of Volunteer Artillery Corps. Not only have you now in position guns which would require 38,000 men to work, but you have every day an augmentation of batteries requiring additional men. A Volunteer Artillery Corps is not merely an auxiliary; it becomes a substitute for the Royal Artillery, which can be employed better and more effectually in the field. For these reasons the Government are anxious to give every encouragement to such forces. In bringing forward this Motion my hon. Friend has done a public service; but as there seems to be a great unanimity upon the subject, I hope he will not press it to a division.

Colonel NORTH said, a reflection had been thrown out by the hon. Baronet opposite (Sir J. Shelley) that military officers were opposed to all improvement, and that if their will had been allowed to prevail the British soldier would still be armed with Brown Bess. In answer to that remark, he felt it due to the memory of the late Viscount Hardinge, to state that he had effected great improvements in the army, and that to him in particular we were indebted for the introduction of the Minie rifle, He must add, that he highly approved of the formation of Rifle Corps, and thought they would prove most useful if they submitted to military discipline; if not, they would be more dangerous to their friends than their foes.

Mr. SELWYN said, he wished to offer an observation to the House on a difficulty which had arisen in the formation of the Rifle Corps, but which was overlooked in the circulars both of the late and of the present Government, and which he thought might be removed without any expense to the country. The right hon. Gentleman had imposed as a condition upon the supply of arms to Rifle Corps that they should be in possession of a ground for practice. Now, he did not speak without experience on this subject, for the University which he had the honour to represent had taken an active part in this movement, and, in conjunction with the town, had formed what he had no doubt would be a model rifle club and a crack rifle corps. But a difficulty had arisen with respect to obtaining proper ground for practice. It was important that the ground should be in the neighbourhood of the town, and yet it generally happened that the ground in such a situation was in the hands of many different landlords and tenants, and it was scarcely probable but that some one or other of them would insist upon exorbitant terms before he would allow the Rifle Corps the use of his ground. What he would suggest, therefore, for the consideration of the Government was, whether it would not be advisable to bring in a short Bill, giving the Secretary at War the same powers of acquiring ground suitable for the practice of rifle companies, as were now given in the case of railway companies or Her Majesty's dockyards. He was aware that the power must be cautiously given, and still more cautiously exercised; but if some such power was not given, it would prevent the formation of many corps, for members refused to join till they knew whether the practice ground would be in such a situation as they could attend.

Mr. PALK said, he wished to explain, that in referring to the expenditure of money upon fortifications, he had only intended to say that no sums had been expended in fortifying that portion of the coast which was wholly unprotected. Having in a great measure attained the object with which he brought this subject, he would, with the leave of the House, withdraw his Motion.

Motion, by leave, *withdrawn.*

COURT OF ADMIRALTY.—LEAVE.

Mr. HADFIELD said, he rose to move for leave to introduce a Bill to enable serjeants-at-law, barristers, solicitors, and attorneys to practise in the High Court of Admiralty. A similar Bill had twice before been introduced, and had been twice printed, and upon the last occasion its progress was only prevented by the close of the Session. The present hon. and learned Attorney General had put his name upon the back of one of the former Bills, and given his assent to the principles of the one which was now proposed. The principle involved had been admitted in the opening of the Probate Court to other practitioners than proctors, and the Bill only sought to remove the last vestige of monopoly in the administration of justice. The only question that could be raised was as to compensation for the proctors, but that was a point to be discussed in Committee, and, considering that the proctors had already received £69,000 compensation under the Probate Act, and were to receive more on account of the opening of the Divorce Court, he did not think they had any reason to complain, and he should certainly oppose the grant of any further compensation. With these observations he would conclude by asking for leave to introduce the Bill.

Sir GEORGE LEWIS said, that in giving his assent to the introduction of the Bill, he wished to state that he concurred entirely in the principles laid down by the hon. Gentleman as to the opening of the Court, though he saw some difficulty as to the manner in which they were to be carried out. In one point the hon. Gentleman had understated his case. He said that the proctors had received compensation to the amount of £69,000, whereas the real fact was that they had received compensation to the amount of £69,000 a year. The question of compensation, however, was one which might be dealt with in Committee.

Leave given.

Bill to enable Serjeants, Barristers at Law, Attornies and Solicitors, to practise in the High Court of Admiralty, *ordered* to be brought in by Mr. Hadfield and Mr. Collier,

Bill *presented* and read 1°.

FOREIGN ENLISTMENT ACT.

LEAVE. MOTION WITHDRAWN.

Mr. DIGBY SEYMOUR said, that he rose to move for leave to introduce a Bill to amend the Foreign Enlistment Act (59 *Geo.* III., c. 69), so far as it relates to transports and store ships. In the Motion he was about to make, he had the support of the General Shipowners' Society. The Act which he sought to amend was brought in by Lord Liverpool in 1819. It was passed, no doubt, to put down the spirit of adventurous enterprize which had at that time been excited, the purpose of which was to give succour to the revolted colonies in South America. Previously to the passing of that Act there existed the Act of the 29th *Geo.* II., by which it was made unlawful for any subject of the realm to assist a foreign Power. That statute was passed to put down the Jacobites who were conspiring against the House of Hanover. Its provisions had, however, previously to 1819 become a dead letter, as the rebellious Jacobites had been put down. Accordingly the Act which he now sought to have amended was brought forward. It purported to repeal certain sections of the Act of the 29th *Geo.* II., but in reality it introduced a principle before that time unknown in the laws of England, and which, he thought, it had never been intended to apply. That principle was contained in the 7th section, which made it unlawful for any one to equip in this kingdom a transport or store-ship for any foreign Potentate carrying on hostilities against any other foreign Potentate, when this country was in a state of neutrality as regarded the contending parties. He complained of this provision. It was difficult to say what might be considered contraband of war.

The question had been raised since the commencement of the present hostilities as to whether coals were not contraband of war. The Austrian Government had lately declared them to be so, and therefore unless the Act were amended every collier now clearing in the Tyne or the Wear with stores of coal for the French Government—and there were many in that position just now—might be proceeded against by the English Government for an infraction of our municipal law. What the shipowners complained of was that our municipal law stepped in and enacted a special penalty for an offence which was already provided for by the law of nations. The Act was, moreover, full of difficulty and capable of perpetual evasion. For instance, it declared that no ship should be fitted out within the United Kingdom; a shipowner, therefore, had only to send his vessel over to some neighbouring port, and the Act would not touch him. Again, the Act was only directed against ships employed by any foreign "Power, Potentate, or Sovereign," so that by employing ships through the medium of some private citizen, any Government might completely evade the Act. Therefore, because this Act was tortured to a purpose it never was intended to apply because it rendered more complicated and difficult the neutral policy of the country, and was, moreover, open to evasion, he asked leave to bring in a Bill for the purpose of amending it. If ever there was a time when this should be done, it was now, when such a modification had taken place in the spirit of international law that belligerent nations might carry on their trade in time of war, and when there existed such severe distress among the shipping interest that it might be truly said that there lay *sicco subductæ litore puppes.* That which was now denied to the shipping of this country other countries had the benefit of. America had no such provision as this, and at the present moment American vessels were chartered at high prices, some in the port of London, and some in American ports, and were going into the service of France, while British-owned ships could not engage in the same service.

Motion made, and Question proposed,—

"That leave be given to bring in a Bill to amend the Foreign Enlistment Act (59 *Geo.* III., c. 69), so far as it relates to Transports and Store Ships."

SIR GEORGE LEWIS said, he conceived that the hon. and learned Member had not made completely intelligible the full extent of the proposed change of the existing law to which he asked the House to assent. With respect to the Act which it was proposed to amend, he must, in the first place, take the liberty of remarking that it was not an Act the policy of which was confined simply to the prevention of privateering. It was an Act intended to carry into effect what at the time of its being passed was admitted on all hands to be a true principle of international law recognized by every country — namely, that it was the duty of a neutral nation not to interfere or give assistance to any of the belligerent Powers. The international obligation was not confined to the prohibition of privateering, but extended also to the prevention of furnishing supplies of war or other belligerent means to the parties engaged in war. This was the policy of the Act of 1819 — a policy which was not by any means confined to England, but which the United States in particular had previously insisted upon in a remarkable manner, and which, in his belief, was embodied in their legislation, though he could not say to what extent. The Act of 1819 was therefore not brought into that House on the false pretext of amending statutes which had become obsolete; it was founded on an acknowledged principle, and had been the law of this country, recognized by all the different Administrations since that period. Such being the law of this country, embodying a recognized principle of international law, and there being now a war on the Continent, and the belligerent Powers appealing to this country to enforce the law, to the enactments of which attention had very properly been drawn by the Royal Proclamation which had been issued on the advice of the late Administration, what did the hon. and learned Gentleman ask the House to do? At the precise moment when the exact provisions of that law were of great importance, the hon. and learned Gentleman asked the House to alter those provisions in a material respect. The hon. and learned Gentleman proposed to repeal the enactment with respect to transports and storeships. By the existing law it was penal to equip a transport or storeship with the intent of its being used by one of the belligerent Powers. But if the alteration of the hon. and learned Member were carried, it would be lawful for a merchant in any English port to fit out a vessel for the service of France or

Sardinia or Austria. He confessed that for any such alteration of the law, even if abstractedly expedient (which he altogether disputed), the present moment appeared most inopportune; and such being the case, he did not feel himself justified, so far as he could collect the hon. and learned Gentleman's meaning from his speech, in assenting to the introduction of the proposed Bill. Therefore, unless stronger reasons were shown for this measure, he trusted that the House would acknowledge that the proposed alteration of the Foreign Enlistment Act would be a proceeding scarcely consistent with the national faith, and might be considered as affecting the neutrality which this country had faithfully observed up to the present time. He, therefore, trusted that the House would not give leave for the introduction of the Bill.

Mr. BOWYER said, his objection to the Motion of his hon. and learned Friend was that he proposed to repeal provisions of the Foreign Enlistment Act, which simply gave the sanction of the statute law to the law of nations. The hon. and learned Gentleman had fallen into an error with regard to that law, for he laid it down that the law of nations only forbad the equipping of privateers or armed vessels to take part in hostilities between foreign nations, but the principle of law which applied to such vessels applied equally to the equipment of transports and storeships for the purpose of aiding any of the parties to a war between States with which this country was at peace. The hon. and learned Gentleman proposed the repeal of the Statute Law on the ground that such repeal would prevent England from being involved in difficulties which might peril her neutrality, but he thought such a course would have an entirely different effect, for it would render the Executive of this country powerless to prevent breaches of international law. It was true that vessels employed as transports or storeships would be subject to be taken as prizes by the Powers engaged in hostilities, but he thought the process of taking ships in the open seas by force, and having them condemned as prizes, was liable to much more inconvenience, and was much more likely to produce unpleasant feelings with foreign Powers than the simple process of providing by our own law that international law should not be violated in this country. The existing statute law enabled the Government to step in and to prevent breaches of international law *in limine*, and he thought such a course was much less calculated to produce angry feeling between England and foreign countries than if our subjects were allowed to violate international law, and foreign Powers whose interests suffered by such acts were left to do justice to themselves by seizing the offending vessels by force, and having them condemned as prizes. The principles of international law had been correctly laid down by the Home Secretary, and he would suggest that the hon. and learned Member for Southampton would act wisely by not pressing his Bill at present.

Mr. COLLIER said, that the hon. and learned Member for Dundalk (Mr. Bowyer), on his part had mistaken the doctrine of international law. But however that might be, he understood the argument of the hon. and learned Member for Southampton (Mr. D. Seymour) to amount to this, that if other countries left their shipping to be dealt with according to the principles of international law we should do the same. If our merchants contravened the law of nations by fitting out their ships for transports let them be dealt with by the law of nations, let them be seized as prizes, but let us not interfere by a law of our own, in a manner that other countries did not deal with their shipping. If the question were whether we should legislate at all upon the subject—whether Parliament should assent to such an Act as was passed in 1819—he (Mr. Collier) would be inclined to oppose such legislation; but he felt the force of the observations of the right hon. Home Secretary that such a law being in existence, and hostilities being in progress, by any legislative interference at this time we should lay ourselves open to the imputation of abandoning our neutral position. He hoped, therefore, that the hon. and learned Member for Southampton would not press his Bill.

Mr. DIGBY SEYMOUR said, as the general feeling of the House seemed to be that the present was an inopportune occasion for proposing an alteration of the law, he would not press his Motion.

Motion, by leave, *withdrawn.*

MEMBERS ACCEPTING OFFICE.

LEAVE.

Mr. WRIGHTSON said, he wished to move for leave to bring in a Bill to alter and amend the Act 6 *Anne*, c. 7, with respect to vacating seats in Parliament on acceptance of office. The object of this Bill was merely to prevent the forfeiture of a seat which occurred when a Member of that House who had received the sanction of his constituents to the acceptance of one office in the Government was promoted to another office.

Motion made, and Question proposed,—

"That leave be given to bring in a Bill to alter and amend the Act 6 *Anne*, c. 7, with respect to Vacating Seats in Parliament on acceptance of Office."

MR. A. SMITH said. he regretted that the hon. Gentleman had felt it his duty to bring forward his Motion. Last year he had introduced a similar measure, which was negatived by a very considerable majority. He (Mr. A. Smith) thought this Bill would have the effect of removing an important constitutional security with regard to the acceptance of office by Members of that House. He knew it might be said they were now experiencing one of the inconveniences of the existing law, for the right hon. Member for Ashton (Mr. Milner Gibson), who had a very short time since been returned to that House, had, in consequence of being transferred to a new office, been compelled again to solicit the confidence of his constituents. They must not, however, on account of the inconvenience to which a few individuals might be subjected, lose sight of the great principle involved in this question. An hon. Member of that House who had accepted office under the Government might subsequently be transferred to another office after the lapse of a considerable time, during which important political questions might have been discussed, and it was only fair that his constituents should have the power of ratifying or disapproving his acceptance of a new office. There were rumours recently in the newspapers that it was intended to form an Administration of which one-half should be composed of Liberals and the other half of Gentlemen who were members of the Derby Government. Now, if the Bill which the hon. Gentleman wished to introduce were in operation, a Government of that sort might have been formed without the sanction and against the wishes of the majority of the people of this country. Nay, some time ago in Canada, by means of such a law as it was now proposed to enact, a Ministry was formed out of the dregs of a former Administration, which had not the confidence of the country. He hoped, therefore, the House would not agree to the introduction of this measure. It would look very bad if the first act of the new Parliament, which had put a Reform Ministry in power, was to carry a measure of this kind.

MR. INGHAM remarked, that in former times, when the power of the Crown was greater than now, the existing restriction might have been necessary; but now, when the power of the several Estates was more equally balanced, unless it was felt that there really was danger to the independence of the House, he thought they should go into a consideration of the measure. In times of emergency difficulties might arise in carrying on the affairs of the Government under the present system, and he thought it would be wise to make the proposed attempt to aid the Government. They saw at the present moment the inconvenience resulting from the absence of a member of the Government (Mr. Milner Gibson), who had already received the approbation of his constituents to his acceptance of office in the Government.

Question put. The House *divided*:—Ayes 51; Noes 53: Majority 2.

TURNPIKE AND BRIDGE TOLLS.

COMMISSION MOVED FOR.

MR. ALCOCK said, that the Royal Commission which he was about to ask had already been granted with the most satisfactory results in the cases of Dublin, London, Ireland, and Scotland. He had therefore a right, he thought, to ask it for England and Wales generally, and though he had no reason to expect the consent of the Government, he thought it could not very fairly be denied. The present bonded debt on the turnpike tolls of England and Wales amounted to £5,236,939. The aggregate amount of the income of the turnpike trusts was at present £1,024,382, but the amount paid in tolls by the people of this country for Turnpike tolls on roads and bridges was no less than a million and a half, so that the persons who rented the tolls got something like 33 per cent of profit. The plan which had been adopted in Ireland to get rid of turnpike tolls was to put the charge of maintaining the roads on the common law of the country. It was a principle of common law there, as it was of common sense everywhere, that the charge of repairing the highways should be borne by the owners and occupiers of land. The annual rateable value of the real property in England chargeable by law with the maintenance of the parish roads was £103,500,000, and a tax of *2d.* in the pound on all real property liable under the common law for the maintenance of the parish roads would yield £862,000. From this source 23,000 miles of road, at a cost of £20 a mile, or exactly one-half of what was now paid on all the parish roads in England, could be maintained; the aggregate cost amounting to £460,000 per annum, to which had to be added £156,000 a year for the purchase of the toll bridges. Then came the sum of 208,000 a year for interest at 6½ per cent in order to pay off the debt, bringing the whole outlay below the £862,000 that would be raised by the twopenny tax. The principle already adopted in Ireland was to defray the cost of the roads by means of a rate on the different baronies, and the system worked satisfactorily. His object now was to extend a similar advantage to the people of England and Wales.

Motion made, and Question proposed,—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report as to the best means of abolishing the Tolls on the Turnpike Roads and Bridges in England and Wales."

Sir GEORGE LEWIS: The question which the hon. Gentleman has brought under our notice is one of considerable importance. Almost every person must feel an interest in it from the manner in which it daily affects him. But to the proposition before us it is impossible for me to give my assent without some further grounds being assigned for it than those adduced on this occasion. The principle to which we are invited to commit ourselves is that tolls on all turnpike roads and bridges in England and Wales should be abolished; that the principle should be at once adopted by the House, and a Commission appointed to inquire how it is to be carried into effect. Let me call attention for a moment to the present position of the turnpike trusts in England as explained by the papers recently laid on the table. If we examine the returns we find that the position of these trusts is in every respect improving. True, the toll revenue has diminished; but, then, the cost of maintaining the roads has also diminished in an equal ratio. The expense of improvements, which in many cases were merely a means of disbursing surplus revenue, has been reduced from £200,000 in 1837 to £40,000 in 1858. The expense of salaries, the law charges, and other disbursements have likewise all fallen off. The interest of the debt, which in 1837 was £290,000, was in 1856 only £181,000. I will only read one statement as to a very material part of the case, namely, the large amount of bonded debt charged on the existing trusts, and which, if it should be proposed to abolish turnpike tolls, must, nevertheless, remain as a charge on some fund. I am speaking now of the turnpike trusts in England and North Wales, South Wales being under a different system. By the reduction which has taken place between 1837 and 1856 in the mortgage debt and in the amount of unpaid interest, there has been removed from the accounts a total charge of £2,680,000. I very much wish that it was in the power of the Chancellor of the Exchequer to make an equally satisfactory statement with respect to the national debt. Looking to the financial state of turnpike trusts, I cannot admit that it presents any grounds for such a sweeping change as we are now invited to concede. A very material question to be considered is the bonded debt of £5,236,000. If you destroy all turnpike tolls, you destroy the security for that sum. It is not intended, I presume, to deprive the bondholders of their security, and it is understood that some other security would be provided for that large sum. The substituted security, I presume, would be the highway rates. The rate on land to the extent of *2d.* in the pound would not, I am afraid, be sufficient to pay the interest and to maintain the roads. The hon. Gentleman omitted to call attention to the position of the turnpike trusts in the six counties of South Wales—not a very large portion of the kingdom, I admit, but still six counties. The hon. Gentleman will remember those riots which went by the name of the Rebecca riots, which he might have pressed into his service, as evincing the great dislike of that part of the kingdom to turnpike tolls. Their grievances were got rid of by spreading the debt on the tolls over a series of years, for which purpose a rather complicated financial arrangement was made, which will end about 1872. Does he suppose that the Act which was only passed a few years ago should be subverted, and that arrangement set aside. I conceive that such a proposition as the abolition of turnpike tolls cannot be assented to by the House. I have now stated in general terms the reasons why I think it is not desirable that this House should agree at this moment to a Commission, which takes for granted that it is desirable to abolish that system. The hon. Gentleman says nothing about tolls on bridges, which he proposes to include. Tolls on bridges are in a different position. They have nothing to do with turnpikes, and most of them exist under private Acts, and it is almost impossible to deal with them on any general system. There are further difficulties to be considered with respect to the sudden abolition of turnpike tolls. The subject is not new. Commissions have been issued as he states. Some years ago a Commission was issued for Ireland. In the chief parts of Ireland there are scarcely any turnpike trusts. The roads are maintained by the grand juries. The few trusts which existed in Ireland became embarrassed, and a Commission was issued for the purpose of arranging their financial affairs. I believe an Act passed founded on the Report of the Commission, and the matter was settled. But it was a special case, and forms no example for such a Commission as is now proposed. There was a Commission appointed about this time last year to inquire into the turnpike trusts in the neighbourhood of the metropolis. I quite admit that turnpike tolls in the immediate neighbourhood of the metropolis are a very serious evil. In the first place, wherever there is a gate in the streets it necessitates a whole system of side-bars, which puts the whole neighbourhood in a strait waistcoat. Every one must see that what is applicable in a rural district is wholly inapplicable in the vicinity of a large town. There is also another evil well known to hon. Gentlemen. A gate immediately adjoining the metropolis is very lucrative, and thus there is a great disposition, by putting one as near as possible, to make it pay the expense of the entire trust, which is, of course, an abuse and an undue tax on the inhabitants. There are special reasons why the turnpike system fails in its application to the metropolitan district, and accordingly a Commission was issued, of which the late Speaker, Lord Eversley, was a Member, and which is likely soon to report. If they should be able to propose any fair plan of relief, it will be an encouragement to extend the experiment, but until we have received their Report we ought to pause and not embark upon an inquiry so extensive as is now suggested. It is true that a Commission issued to inquire into turnpike tolls in Scotland. The object was not, I believe, the abolition of tolls, but some alteration in the system, and therefore that is not a precedent for the Commission now proposed. Having stated my opinion that the House is not now in a position to assent to the doctrine of total and immediate abolition of turnpike tolls, I will admit to the hon. Gentleman that I quite enter into his view that turnpike tolls are not the best mode of taxation which can be devised. But at the same time I wish to represent this consideration to the friends of what is called equitable taxation, that a more equitable tax than turnpike tolls cannot be conceived, because it is paid by those who use the roads, and only by them. Nevertheless, all must feel that it is a somewhat vexatious and unpleasant burden. But I cannot on that account say that sufficient grounds exist for issuing a Commission. We have already had a very large number of Committees and Commissions, and I confess I am very unwilling, without very strong cause being shown, to assent to another Commission being appointed by the Crown. If the hon. Gentleman can point out to the House the means by which the principle of total abolition can be carried into effect he undoubtedly can embody it in the shape of a Bill, and then we should be able to judge whether the plan could meet with our assent. If the general principle were feasible and expedient, and difficulties arose only with regard to its application, there might be reasonable grounds for inquiring as to the means by which the scheme could be effected. But I cannot think that in the present state of the question any hon. Gentleman is entitled to call on the House to address the Crown to issue a Commission. It is my belief that the great defect of the present system of turnpike tolls arises partly from the circumstance that a number of trusts whose financial position is bad have not yet undergone revision by Committees of the House, which a number of trusts that have expired in the last ten years have undergone with very great benefit to their finances. Another great evil which I find in the present system is the unequal size and smallness of many trusts. I believe that a far more economical expenditure of public money and a better administration of the trusts would be introduced if all the trusts in a county, or where the county is too large, of a division of a county, were amalgamated, and if the system were adopted which has worked well in South Wales, where there is a county Board for their general superintendence, and local trusts are abolished. Having offered these remarks, which I believe are more likely to tend to a practical reform, I regret that it is not in my power to support the Motion now before the House.

MR. HOPE said, the experience which he had acquired with respect to the question under discussion in Scotland did not lead him to form an opinion favourable to its being met in the manner proposed by the hon. Member opposite. In the county with which he was connected the attempt had been made to establish a system of rates instead of a system of tolls, but although everybody seemed to agree as to the expediency of abolishing the tolls it was impossible to obtain any general concurrence of opinion as to the mode in which the rates should be levied. Still he thought tolls an unfair tax, for in some cases persons using the roads for miles never paid a farthing, while those who used it for half a mile were compelled to pay a very heavy toll. The substitution of a rate would dispense altogether with the expenses of collection and many other annoyances incidental to the present system, while at the same time many questions—such, for instance, as to whether land was to bear the whole burden, or horses a part, and other questions of a similar nature—would arise, and require solution. He thought it better to suspend legislation on the subject till they had ascertained the result of the late inquiry which had been instituted on the question.

MR. CRAUFURD said, he did not think the difficulty of substituting rates for tolls was so great as the hon. Member seemed to think. That plan had long been tried in the large county of Argyll with perfect success. He would suggest that the hon. Member should alter the wording of his Motion, so as to assimilate it to the Scotch Commission; in other words, that there should be an inquiry into the possibility of substituting an equitable mode of assessment for the system of tolls. The decision arrived at by that Commission would not prejudice the case as regarded England, and in his opinion, therefore, the Motion, with the Amendment he suggested, should be agreed to.

MR. BONHAM CARTER said, he objected to the laxity with which Commissions had of late been granted. During the last twelve years a great deal of good had been done by private legislation, all new Turnpike Bills being now drawn on a uniform plan. He therefore thought it would be better to defer further action in connection with a question until the Commission which had been already appointed had reported.

Question put and *negatived.*

ARMY (HALF-PAY OFFICERS).

COMMITTEE MOVED FOR.

COLONEL NORTH said, he rose to move,

> "That this House will to-morrow resolve itself into a Committee to consider of an humble Address to Her Majesty that She will be graciously pleased to grant the half-pay of £400 a year, unattached pay, to certain general officers who obtained promotion upon half-pay under the provisions of the General Order of the 23rd day of April, 1826, who have since become general officers, and are now receiving only the half-pay of their regimental rank, and to assure Her Majesty that this House will make good the same."

He wished to explain that his Motion referred particularly to seven general officers who had been induced to retire under the Order of 1826—one of them having entered the army in 1796, and not one of them having done so later than 1807, and yet they were now only receiving 9*s.* a day, the half-pay of majors and lieutenant colonels.

MR. SIDNEY HERBERT said, he was sorry he could not accede to the Motion of the gallant officer, who did not appear very clearly to have understood the objects of the General Order of 1826. No doubt an Order was made to enable officers to go on half-pay with superior rank to that which they held at the time of retirement, and without prejudice to their future claims; but that did not exempt them from the operation of regulations which existed then, and which had existed ever since. One of those regulations was that no one should receive the allowance of a general who had not served six years as a field officer. The only exception was that their widows should be entitled to the pensions of general officers' widows, but that very exception showed that the officers were not themselves entitled to the reward of general officers. It might be true that the seven officers referred to in the Motion had each been in the service fifty or sixty years; but the House must remember that there was another side to that question, namely, that some of those gentleman had ever done a day's duty since 1826. He thought, therefore, that to award them the increased allowance would be merely adding to the dead weight of the army without adequate consideration.

GENERAL PEEL said, he took a different view of this case to that taken by his right hon. Friend. It was said that no general officer was entitled to full pay unless he had served six years as a field officer; but this case was similar to that in which a field officer was placed on half-pay by reduction. On what principle could it be said that their wives were entitled to the pensions of Major-Generals, and that they themselves were not entitled to the pay of their rank? He had strongly pressed the case on the Treasury.

COLONEL DUNNE said, he wished to ask if these officers understood that they were not to receive the benefits connected with the rank of general when they went on half-pay. He believed they did not.

Question put. The House *divided*:—Ayes 22; Noes 42: Majority 20.

ROMAN CATHOLIC RELIEF ACT AMENDMENT.

COMMITTEE. LEAVE. FIRST READING.

SIR WILLIAM SOMERVILLE said, he wished to bring in a Bill to amend an Act passed in the tenth year of His Majesty King *Geo.* IV., entitled "An Act for the Relief of His Majesty's Roman Catholic Subjects." The object of the measure he should propose was to repeal so much of the Act of 1829 as prohibited persons professing the Roman Catholic religion from holding the office of Lord Chancellor of Ireland. There were many reasons which it was easy to see why this clause of separation and exclusion should never have been passed, but what was difficult to see was what could have been the reasons which induced Sir Robert Peel and the Duke of Wellington to support it. The argument alleged by Sir Robert Peel was this—"From the office of Lord Chancellor the Roman Catholics are excluded, because the Church patronage in the hands of the Lord Chancellor is a right inherent in the office." But what was the fact? Why, that the Lord Chancellor of Ireland did not possess a single scrap of Church patronage. It was remarkable that during the debates of 1829, although it was proposed that several other officers of State, such as the Secretary for the Colonies and the President of the Board of Control, should be placed in the same position, on the ground that they might influence the distribution of Church patronage in England, yet that no such measure of exclusion was passed, except in the case of the Lord Chancellor of Ireland. It was singular that no attempt at resistance was made at the time of the passing of the Act of 1829, but he attributed it to the fact that when a generous measure for the relief of Roman Catholics was introduced, it would have been manifesting an improper feeling if the recipients of the benefits had cavilled because one omission was made. He would only add one word as to the time at which he had thought it desirable to introduce this measure. He had observed that at the late election some reports prevailed that in many instances candidates who had been distinguished in former times for their hostility to the principles of their Roman Catholic subjects had withdrawn their hostility to their political rights; and the Roman Catholics of Ireland were assured of a disposition on the part of these Gentlemen to grant them their just claims. He trusted he might rely on the support of hon. Gentlemen on the other side of the House professing these intentions, and at the same time that he might appeal to the aid of those old and tried friends of civil and religious liberty whom he saw around him. This was a small but he trusted a not unimportant measure of relief. He was sure, too, it would be received with favour by the Protestant part of the community. It would, too, be an indication from the new Parliament of a friendly disposition to Ireland. He understood that as the Bill referred to a subject of a religious character it was necessary, according to the forms of the House, that it should originate with a Committee of the House. He begged leave, therefore, to move—

> "That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend an Act of the tenth year of King George the Fourth, for the Relief of His Majesty's Roman Catholic Subjects."

MR. POLLARD-URQUHART seconded the Motion.

SIR GEORGE LEWIS said, he would very cordially give his assent to the Motion of his right hon. Friend, and would also support the Bill in its subsequent stages, should leave be given to introduce it. He entirely concurred in the statement of his right hon. Friend that there appeared to have been a misconception in framing the Catholic Relief Bill as to the nature of the functions of the Irish Chancellor. Sir Robert Peel, when he proposed that measure, was under the impression that the Irish Chancellor, like the English Chancellor, had the distribution of church patronage; but there was not the smallest doubt that that was a mistake as respected the Irish Chancellor, for he had no share in the distribution of ecclesiastical patronage. He was, in fact, nothing but a Judge, and the very reason that would apply to the exclusion of Catholics from the office of Lord Chancellor of Ireland would be equally applicable to their exclusion from the Irish Chief Justiceship. If this had been a mere speculative grievance he should not have joined in an attempt to remove it; but it could not be so regarded, for it was clear that the office of Chancellor in Ireland was merely judicial, and one to which Roman Catholics at large might reasonably aspire. For these reasons he entirely approved the Motion.

SIR BROOK BRIDGES said, he believed that the inadvertence, as it was called, in framing the Catholic Relief Act of 1829 was no inadvertence, but an exclusion which proceeded on a full knowledge of the circumstances of the case. Considering, however, the feeling manifested by the House he would not oppose the Motion, though he felt he should have been wrong in allowing his silence to be construed into an approval of a total alteration of the principles on which the great men who were instrumental in passing that measure acted. He believed they had their reasons, independently of considerations arising out of the distribution of church patronage, for the exclusion in question, and that those reasons were still in full force.

Motion *agreed to.*

House in Committee.

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend an Act of the tenth year of King George the Fourth, for the Relief of His Majesty's Roman Catholic Subjects.

House resumed; Resolution *reported.*

Bill *ordered* to be brought in by Mr. MASSEY, Sir WILLIAM SOMERVILLE, Mr. HENRY HERBERT, and Mr. POLLARD-URQUHART.

Bill *presented* and read 1°.

House adjourned at half-past
Twelve o'clock.

HOUSE OF LORDS,

Wednesday, July 6, 1859.

Their Lordships met, and having gone through the Business on the Paper,

House adjourned at a Quarter before
Three o'clock, till To-morrow,
Half-past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, July 6, 1859.

MINUTES.] NEW MEMBER SWORN.—For Northampton Borough, Lord Henley.
PUBLIC BILLS:—1° Railway Companies Arbitration.
2° Locomotive.

ENDOWED SCHOOLS BILL.

SECOND READING.

Order for Second Reading read.

MR. DILLWYN: Sir, the question now before the House is one which has excited very considerable interest throughout the country at large, as is shown by the number of petitions which have been presented both for and against it; and that this should be the case is not to be wondered at when we consider the number of endowed schools which exist in every part of the country. The Charity Commissioners have, I believe, reported upon somewhere about 3,000, and the amount of their annual income has been estimated by Mr. Horace Mann at not much less than £500,000. Now, from the nature of many of the petitions against the Bill, it is evident that the Church party consider it to be a measure directed against the Church, and an attempt to wrest from them the endowments which properly belong to that Establishment. I, however, disclaim any such intention. With regard to very many, probably the great majority, of these schools there can be no doubt as to the intentions of the founders, and that they were, that education, in accordance with the doctrines and teaching of the Church of England, should be given in them. Thus one directed that the Ten Commandments, the Articles of Faith, and the Creed, should be taught; another, that the children should be brought up in the understanding of the Catechism, as set forth by public authority, the Psalter and Book of Common Prayer; and in others, the Church Prayers were directed to be read. Now, in schools where the founder has given instructions such as these, there can be no doubt but that he intended the schools to be in connection with the Church of England; and I, for one, have no desire to meddle with them by the present Bill, or to attempt to wrest them from that Church. In proof of this, I may say that I was by no means favourable to the Bill brought forward in the House of Lords last year, which proposed to enact that no person should be disqualified from being a trustee of an endowed school by reason of his being a Dissenter, as I could never see that Dissenters had any right to interfere in the management of schools specifically devoted to the Church of England. An elaborate petition from the National Society, copies of which have, I believe, been sent to all members, assumed that the endowments of schools had in all cases been employed in accordance with the wishes and intentions of their founders. This, however, is exactly the question at issue, as I deny that in many cases of such schools as I now propose to deal with, the intentions of the founders have been attended to. Now, these schools—namely, those in which the founders have either not said anything about religious instruction or have only alluded to it in general terms, are probably in a minority, and a very considerable one, and they are therefore watched over with great jealousy, both by Dissenters and those who are favourable to secular or non-sectarian education. This feeling of jealousy has of late become one of alarm from the aggressive position assumed towards these schools by the Church of England, and this alarm has been heightened by the fact that the law, as recently expounded by some of our most eminent Judges, favours the position thus assumed. The law as it now stands, so far as I understand it, is this—that where the founder of a school did not in the deed of endowment use any specific words exactly defining the kind of religious teaching he wished to be given in it, but only employed words of general import, such as that the children were to be taught the fear of God, or the principles of the Christian Religion, it was to be assumed, looking to the period when many such schools were founded — namely, before the Dissenters' Toleration Act had passed—that he intended to indicate that the religious teaching to be given in the school should be that of the Church of England, which at that time was the only body which had acquired a national status for the purposes of religious instruction. The law goes further than this, however, and says that, even in cases where nothing whatever is said in the foundation deeds as to religious teaching, the feeling of the founders must be assumed to have been that no education could be desirable that was not founded on religion, and that the religious instruction so assumed to have been intended to be given could only be that of the body which had acquired a national status for that purpose. Now, Sir, if these inferences are to be pressed to their logical conclusion, I do not myself see what is to prevent the Church of England obtaining the sole and whole control over nearly all endowed schools throughout the country. In confirmation of the view I have thus taken of the law as it stands, I will quote from the judgment of Lord Justice Knight Bruce in the case of the Attorney General *v.* Cullum, in which a charity at Bury St. Edmunds, established in Edward the IVth's reign "to the glory of God and of the most gracious Virgin coming to be administered," the Master in Chancery drew up a scheme for founding a school open to children of all denominations. A portion of the stated school hours were to be set apart for reading the Scripture lessons prepared for the Irish National Schools, but no other religious instruction was to be introduced into the school. The trustees were to appoint the master and mistress, no restriction being placed upon their religious creed. To this scheme it being objected that the master and mistress ought to be of the Established Church, and that Church of England teaching should be given where the parents of the children did not object—the Lord Justice (then the Vice Chancellor) Knight-Bruce, in giving judgment said—

> "In my judgment this scheme does not provide for religious instruction in the sense in which the expression ought to be understood. Its effect is, not that it does not provide for religious instruction according to the Church of England, but that it does not provide for what I am able to consider religious instruction at all. If education, of course including religious instruction, is to be provided for, I apprehend it must be according to the doctrines and principles of the English Church. I know no other standard or guide to which the Court can resort. . . . If education is to be part of the scheme, it is clear, in my judgment, that whatever may be the particular course of instruction pursued, or whatever may be the course as to the exemption of any child from any particular points of instruction, the masters, mistresses, and teachers must be members of the Church of England; and that no other course of religious instruction should be adopted than such as is in conformity with the Church of England."

Again, in the case of the Chelmsford Grammar School which was decided by Vice Chancellor Sir W. Page Wood, that learned Judge said—

> "After the arguments I have heard, and looking to the whole scheme, frame, and foundation of charities of this description, it appears to me impossible to hold that any school founded, as this has been, by one of the Sovereigns of this country for the purpose of teaching grammar, could be other than a school not only for teaching grammar, but also for sound religious education;

and looking at the period at which these schools were founded, such education must have been education according to the doctrines and discipline of the Church of England. As regards this particular school, it is true the charter does not, like many other charters, state on the face of it that the children should be brought up in the fear of God, plainly indicating religious instruction. This charter makes no reference whatever to the religious character of the instruction. But the omission may be accounted for by the circumstance that the charter itself is a grant of the lands of dissolved chantries, &c. . . . .

" A great deal might be said in support of the proposition, that foundations for instruction of any kind, at least down to the time of Car. I., involved necessarily religious teaching—(p. 567.) If it were necessary in the present case to lay down any rule on that subject, the utmost I could do in point of jurisdiction would be to say distinctly that every child must be taught the Scriptures, and every child must have religious instruction generally; and that such religious instruction must be by a master being himself a member of the Church of England. That, it is true, would involve the difficulty as to Dissenters. . . . But that difficulty must have existed in the case of the Bury School, and in all the other schools. It is what the Court has done in every case; and I certainly shall not be the first to say that any system of education can embrace a true notion of education that leaves a blank in this respect, and leaves it open to a considerable portion of the school to remain without any religious instruction whatever. It may be a very proper question for the Legislature to deal with, as in King Edward's School at Birmingham, when the Legislature dealt with it as they thought fit; and I am informed that the alteration has acted beneficially. It is quite open to the Legislature to deal in the same manner with this school.

I might have quoted other cases in which the law is similarly explained, but these will, I think, suffice, and I will now proceed to call the attention of the House to the way in which, as it thus stands, it narrows and defeats the intention of the founders of such schools. With this view, I beg the House to remember what was the main object of the founders of these schools? There can be no doubt but that it was useful education. No one will deny this, and I dissent from an interpretation of law which sets this, the main object of the foundation, and about which there can be no doubt whatever, aside, and in a greater or less degree defeats it on account of supposed wishes, or hints of wishes, which the Founder did not think of sufficient moment to specify in express terms. Thus in cases (and there are many such) where dissent in the district of particular schools has become very prevalent among the poorer classes, the education of those very classes for whom this provision was expressly made is practically withheld from them, because the law infers that the Founder must have meant to provide something more than that which he had expressly declared. To show how the members of the Church may, and sometimes do, conduct their schools, I will read an extract of a letter which I hold in my hand, dated, February 14, 1859:—

> "I fear there is no prospect of anything being done in reference to what we call 'National Schools.' Last week many pupils were sent back from the one in Whittlesea because they were not prepared to pay sixpence on Monday morning, in lieu of a penny, as they did not attend church or church school on Sundays. A penny per week the poor children who will go to the church on Sunday, pay.'"

Here, again, is an extract of a letter dated Fakenham, February 15, 1859.

> "Harrison's Charity is applied to the education of a certain number of boys and girls, and to the distribution of blankets among the poor. It was augmented by the bequest of the late Joseph Peckover, a member of the Society of Friends. Within my recollection, two of the Trustees were Dissenters. The Masters and Mistresses by whom the children were instructed, were both Dissenters, and no restriction was imposed as to the admission of children. Of late years, the Trustees have been chosen exclusively from the Church of England. The educational fund is appropriated exclusively in aid of the national school in which a rule exists that no child attending a Dissenting place of worship in the morning or afternoon, shall receive its benefit."

These instances illustrate not only the narrow spirit which sometimes prevails in the Church schools, but also the way in which the object of giving general education to the poor may be defeated by sectarian action. Now, Sir, I have no doubt but that those who are opposed to my Bill sincerely believe that where only general terms as to religious instruction occur in foundation deeds, the intention of the founder upon that important subject must nevertheless have been specific. I certainly cannot arrive at this conclusion and I would, in support of my view, put the following case to my objectors. Supposing a person in the reign of Edward VI., for instance, to have been desirous of founding a school in which religious instruction, according to the doctrines of the Church of England, should be given, is it likely that he would not have specified this intention, that he would have trusted alone to the "status" acquired by the Church of England as a national establishment for religious instruction to give effect to his wishes?—it appears to me most unlikely that he would have done so—he would have known full well that the position then held by the

Church—as a national Church—was a very uncertain one; that it had been but very lately wrested from the Roman Catholics, that they were still a formidable and powerful body, still striving to recover the position for which they had been thus ejected, and that even among Reformers themselves, doctrine was by no means settled, as the followers of Calvin and Luther and other sects disputed for the upper hand. Knowing all this, surely if he had been especially desirous to provide for the propagation of the doctrines of the Church of England, he would have taken care to do so in express terms; there was no law to prevent his doing this; lawyers whom he would have called to his aid to draw up his deed, would undoubtedly have so advised him and informed him of the necessity (in those days much insisted on by lawyers) of being precise and specific in the expression of his intentions. In looking over the Charity Commissioners' Reports I met with numerous cases showing the care and precision with which these deeds were drawn up, and the clearness with which they often specified their intentions as to religious instruction. Here are the terms used in one of them. It directs that the Trustees should be "some honest and discreet fitting persons of the Protestant religion, as by law established, neither Popishly affected on the one hand, nor fanatically inclined on the other hand." The schoolmaster was to be a man of "sober life and conversation, and in full communion with the Church of England." The boys were to be taught "to read English, and cypher," and especially "the Catechism of the Church of England," and to be instructed "in the principles of Christianity." While, however, a churchman could thus clearly give effect to his intention and provide for the teaching of his own form of religion, the House must remember that before the passing of the Dissenters' Toleration Act, this was not the case with Dissenters, as they were prohibited by law from creating foundations for any particular religious teaching other than that of the Church of England. Any Dissenter, therefore, at this period wishing to found a school, would most probably either leave out all mention of religious teaching, trusting to its being provided by the parents or ministers of religion of the sects to which the children might belong; or would only use such general terms as to religious teaching as would provide for instruction in the great catholic truths of religion without indicating a preference for any doctrinal form of religion. The following is another extract from the Charity Commissioners' Reports, which well illustrates the precision with which such founders indicated their wishes even in the most minute particulars. Over's Charity, in Winchester, provides that the mayor and aldermen shall have 20*s.* a year to drink a glass of wine in each year, on the day of the testator's death. It was founded as a school for poor boys whose parents were too poor to pay for their schooling elsewhere; they were to be taught to read, write, and cast accounts; and should besides learn their accidence and grammar, so as to qualify them for apprentices for tradesmen, &c." Master not to be "a Welshman, Scotchman, Irishman, foreigner, or north countryman;" because "his scholars should not be corrupted in their youth with a vicious pronunciation, or be taught barbarous English." Here, however, no mention whatever is made as to religious instruction, and there cannot be a doubt, as I think, that the founder did not intend it to be given, as the very care and precision of these instructions, as to minor points, naturally lead to the inference that he would not have left the important question of religious teaching to chance had he intended it to be given at all.

My own attention was first especially directed to the position of Dissenters in respect of endowed schools by the Ilminster School case, which was decided rather more than a year ago—it was that of a school in the parish of Ilminster, founded in the reign of Edward the Sixth. There was nothing sectarian in the endowment, and the surplus revenues, if any, were to be applied to the repairs of roads and bridges. The school was founded for the benefit of the poor of the district generally, who were to be given a virtuous education, and to be taught their duty "to God and the King's Majesty." The trustees were to be honest men of the parish of Ilminster, and no mention was made as to their religious opinions. For at least the last 150 years the affairs of the school had been satisfactorily administered by trustees chosen, as it appears, without reference to their religious opinions, and matters had gone on smoothly and well, some Dissenters having always been upon the trust. About two or three years ago, however, a new light appeared in the parish in the person of a new vicar, who objected to the presence of Dissenters in the trust. Soon afterwards the number of trustees having dwindled down from eighteen to three, it became necessary to appoint new ones to bring up the original number. The three that remained chanced to be all Dissenters, and in making the new appointment the Master of the Rolls nominated twelve Churchmen and three more Dissenters, thus constituting the trust of twelve Churchmen and six Dissenters. The vicar appealed against this decision to the Lords Justices, and the result was that all the Dissenters were struck out of the trust. Now this was very likely perfectly in accordance with the law as it stands, and indeed I do not myself see how the Lords Justices, governed by former decisions, which started from false premisses, could have come to any other conclusion. But this conclusion shows the faulty state of the law, and the absurdity of the inference drawn by it from the silence or vagueness of founders of schools. As to religious teaching in this Ilminster case. Proceeding upon such inference it arrives at the conclusion (the absurd conclusion as I think it) that in the eye of the law in regard to religious teaching no Dissenter can be considered as an "honest man," and trusted as such. Now, I ask the House, is it likely that Dissenters will consent to remain under such a law; is it reasonable to expect that they will sit down quietly and see themselves by the application of such a principle excluded from important trusts? I think not; they are quite awake to their position, to the attack which has been commenced upon them, and to the necessity of energetic action to repel it. The following letter, received by a friend of mine on the 21st instant from a member of the Society of Friends, will show the feelings entertained by them upon the subject. I do not mention the name of the school alluded to, fearing that were I to do so I might indicate a vulnerable point of attack to the aggressive party in the Church.

"I forward herewith a petition in favour of Dillwyn's Bill from the Trustees of ——— School:"—

"'The Charity was founded by a Dissenter, and a majority of the trustees have always been Dissenters, but there is nothing in the deed to show that it is not a Church school, and they are directed to appoint a 'God-fearing Christian person' to be schoolmaster, always preferring 'persons of sobriety, good morals, and character, who will pay strict attention to the morals and religious education of the children,' so that according to the recent decision five out of seven of the trustees might be turned out to make way for Churchmen.'"

Now, in the measure which I have introduced in order to correct this inference of the law, and which I hope the House will agree with me in considering to require correction, I have sought to enact that no endowed school or educational charity shall be deemed to have been founded for the purpose of affording religious education according to the principles of the Church of England exclusively, unless from the language of the deed of endowment it appear that such was the intention of the founder; and such a measure as this is I submit to the House, one of defence against and not of attack upon the Church of England. I have also, following the precedent of the Grammar Schools Act, excepted from the operation of the measure the Universities (except the London University, which does not wish to be excepted) and certain large schools. I know that an objection is taken to this measure on the ground that the Legislature ought not to interfere with the legal interpretation of words. But for such interference there are abundant precedents. Thus in the Wills Act, 1 *Vic.* c. 26, such clauses were introduced. Expressions in wills which everybody knew to have been intended to give the legatees or devisees an absolute interest in property, but which the Judges had decided to mean only a life interest, are there legislatively declared to mean an absolute interest; and in introducing the present measure I cannot do better than to quote the words used by Lord Langsdale in moving the Wills Act in the House of Lords, he said,—

"I have heard of objections being made to a legislative construction of words, but when a rule of construction which plainly violates the lawful intention of testators has been established in the Courts of Law, I know no way of correcting the abuse (for such it is), but by legislative interposition."

Having now, Sir, shortly stated the case which exists for the enactment I propose, I would earnestly appeal to the House to assist me to pass it into a law. Even upon the narrow ground of economy I would ask that it should be passed. We are doing our utmost to promote and extend the education of the poor, we annually vote very large sums of money for the purpose, and these sums are steadily and enormously on the increase. In 1855 the educational vote amounted to £396,921, while last year it was £663,435, having nearly doubled in three years. Is it not then desirable that we should do all in our power to save the public purse, and to make the means of national education which already exist and have funds especially devoted for that purpose, as available as possible? Upon the ground of policy and expediency too do I ask the House to assist me,—upon the ground that it is not politic, it is not expedient to allow a sense of injustice and exclusion to be felt by the great body of Nonconformists in the country, numbering, of one sect and another, probably a third at least of our population, and necessarily engendering among them, both towards this assembly and the Church of England, feelings which we should all wish to prevent and allay. More than all, Sir, however, have I taken up this question as I consider it to be an assertion of the principle of religious liberty, that principle which recognizes the right of every man to decide for himself as to his religious belief, and which denies that any other men or set of men should interfere with him as to such belief, or subject him to civil disabilities for the exercise of that which as a citizen I claim to be a right, and as a Protestant I hold to be a duty. Upon all these grounds do I appeal to the House, and I do so with some confidence as I believe the principles which I thus advocate to be steadily advancing in the present century. The Test and Corporation Acts have been passed, the Universities of Oxford and Cambridge have opened, and will, I hope, open wider still their doors to Dissenters, while even within the last year we have admitted members of the Jewish religion to a seat in this House. I therefore ask the House to allow this Bill to be read a second time, and to unite with me in the effort which I now make to sweep away one of the relics of intolerance which still hang around our free institutions, impairing their usefulness and disfiguring their beauty. I move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR STAFFORD NORTHCOTE said, he must admit that the speech of the hon. Gentleman had been exceedingly temperate and very fair; and he admitted that, looking at the Bill, and taking it by itself, it could not be said that the proposals of the Bill, as gathered from the words, were very extreme. He had felt some difficulty as to the course which he should take, and it was not without some hesitation that he had come to the conclusion of moving that the Bill be read a second time that day three months. He was unacquainted with the doctrines of the Court of Chancery, and he had therefore wished that the matter should be taken up by some of his hon. and learned Friends who would have been so much better able to deal with it; but as the Bill had been put down for discussion at a morning sitting, their attendance was rendered uncertain, and therefore he had undertaken to raise the question on the second reading of the Bill, that the discussion might be initiated on a matter of very general interest throughout the country, as was indicated by the number of petitions that had been presented relative to the proposed alteration. As to the charge of the hon. Member (Mr. Dillwyn) that the measure had originated in the aggressive action of the Church of England in reference to endowed schools, he could tell the hon. Member that there was a very general feeling in the country among those interested in Church of England schools that the imputation of aggression pointed in the contrary direction:—it was the more general opinion that the measure was one of an aggressive character to the Church of England, and the Church was called upon to defend itself against the assault that was being made upon it. If the cases decided by the Court of Chancery cited by the hon. Gentleman were really such as he described them to be; if, for instance, it were true that a school founded by a Dissenter, and always administered by Dissenters, was in danger of being taken from them by the operation of law, and given to the Church, he (Sir Stafford Northcote) thought that an inquiry ought to be instituted. He knew not the law, but he was told by high legal authorities that such an abuse as had been described by the hon. Gentleman could not really exist. He was told by some of his hon. and learned Friends that the Bill would in effect be nugatory, insamuch as the provision in the first clause was in point of fact a declaration of the principle upon which the Court of Chancery at present proceeded. He understood it was the principle of the Court of Chancery in construing the intentions of the founder, whenever the slightest ambiguity arose, to place itself, as far as possible, in the position of the founder, to consider the meaning of the language as used at that time, and to inquire into the past usage of the school. If that were so he did not perceive how the Bill could make any difference, because the Judges would be just as liable to misinterpret the intentions of the founder as before. It might be said, however, by the advocates of the Bill, "Well, then, if you think the Bill will be nugatory, why do you oppose it?" Now he apprehended that a practical evil would arise if the measure were passed—that evil was, that it would generate a large amount of very mischievous litigation. There was a feeling throughout the country that this Bill would alter the position of Dissenters in regard to school trusts, and therefore a great amount of litigation might be expected from its passing. When the hon. Gentleman described this as a measure of economy, he (Sir Stafford Northcote) thought it could hardly deserve that title when they considered that a large portion of the funds intended for national education would be wasted in Chancery suits and vexatious litigation. The Bill would give rise to false expectations, and consequently to great mischief. But he had another objection to the Bill. It professed to respect the intentions of founders, yet its *animus* was to set them aside. He could understand that the intentions of founders might for good cause be set aside. What he did not understand was, how a Bill, professing to respect them, should indirectly neutralize them. He looked to what had been the proceedings of the hon. Gentleman in relation to this subject, to the four Bills which he had successively brought in, and to his able speech in introducing it to the House. It appeared that what the hon. Gentleman expected to do, was to make a change in those principles upon which the Court of Chancery at present proceeded, and to lay it down that the intentions of the founder were to be ascertained only from the language of the instrument founding the charity; and that they should not be judged by anything outside of it. So that if the language was ambiguous it was not to be interpreted, as in the case of other trusts, by a reference to the circumstances of the founder and of the time in which he lived, but by the bare meaning of the words. Thus, whilst the advocates of the measure professed to respect the intentions of the founder, they were taking a step well calculated to defeat them. He had a further objection to the Bill. Supposing it to be carried into effect, they could not see to what it would lead. It was altogether of a negative character. It proposed to do away with the exclusive rights of the Church of England in certain foundations, but it did not substitute a right on the part of any other religious communion. They would either get rid of religious teaching, and reduce those schools intended to give "a godly education" to mere secular schools, or they would adopt the other alternative—namely, that of maintaining what was called religious instruction, but which would be utterly emasculated by being founded upon those points only upon which all religious denominations were agreed, whereby the whole spirit and meaning were taken out of religious education. This measure went practically to oppose the best system of religious instruction that could be devised—a system that was supported by a large majority of that House, as well as of the country, namely the denominationial system. It was true they said that this Bill was not adverse to the Church of England schools in particular; but it was impossible not to observe the contrast between the mode in which it was now proposed to deal with Church of England schools and the principles on which the House had dealt a few years ago with the Dissenters' schools, by the Dissenters' Chapels Act. Parliament then defended those persons in possession of endowments, and passed a law by which it was enacted that twenty-five years' possession should give a title. If the hon. Gentleman feared that the Church of England had been lately taking the aggressive, and wished to oust the Dissenters from these schools, why did he not introduce a clause that twenty-five years' possession should give a right to these endowments? Such a clause would satisfy the great majority of those who opposed the Bill. They desired nothing better than that their title should not be disturbed, or their teaching ousted to give place to a system of religious instruction of the worst character. Although he objected to this Bill, he, and those who felt with him, did not desire to deal with these endowments in a sectarian or monopolizing spirit. He wished that the Dissenters, without spoiling these endowments, should profit by them, and Parliament had already legislated with a view to carry out this object. He need not remind the hon. Member for Swansea of the many Acts that had recently been passed, which had had the effect of admitting Dissenters to the benefit of education in Church schools, and he should be glad to see an inquiry instituted in order to ascertain how these endowments were to be made more useful. The effect of the present measure, however, was not to make the endowments more generally useful, but simply to spoil them, and make them useless to the Church. He would therefore move that the Bill be read a second time on that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this Day Three Months."

Question proposed, "That the word 'now' stand part of the Question."

MR. PULLER in seconding the Amendment said, having the honour to serve on the Committee of the National Society, I have thought it my duty to examine this question, and must therefore ask the attention of the House for a short time. So far as my hon. Friend the Member for Swansea has stated the actual decisions of the Courts on the subject of Endowed Schools, I believe he has stated them correctly; but when he proceeded to deal with hypothetical cases, I think I shall be able to satisfy the House, that he has stated that to be the law which is really not the law. But first of all let me speak of the Ilminster case, out of which all this discussion has arisen. That case has been treated as if the Lords Justices, overruling the decision of the Master of the Rolls, had established some new doctrine highly injurious and offensive to the Dissenters. But the fact is that, as regards the general law of Endowed Schools, there was no difference of opinion between the Courts. The Master of the Rolls, equally with the Lords Justices, held that the Ilminster School was a Church school, and he did not dispute that, if the trust had related only to the school, Dissenters must have been excluded from the trust. The point of difference was this, that the founder having declared that any surplus which should remain after providing for the school should go to the repairs of roads and bridges, in which Dissenters are of course as much interested as Churchmen, the Master of the Rolls thought that that circumstance took the case out of the general rule, and that, being a mixed trust, Dissenters were admissible as trustees, while the Lords Justices held that, the school being the primary object of the founder's bounty, and the roads and bridges only a subordinate object, the character of the trust must be determined by the former, and that therefore Dissenters must be excluded. Well, that was a question as to the application of the law on which there might be a fair difference of opinion, but that is obviously not the question which it is proposed to settle by this Bill. The persons by whom this Bill has been promoted have made the decision in the Ilminster case the occasion for a vigorous assault upon those principles of law and construction about which there was no doubt in the Courts of Law. In doing that, I am bound to say, they have not been very strict or scrupulous in the statements which have been circulated. As evidence of that I may refer the House to a petition which has been presented to this House from the ministers of the Baptist churches in the county of Pembroke, in which they say they are informed that it has lately been decided by the Court of Chancery, that no Dissenters can be a trustee or master of any school, the founder whereof has required such trustee or master to be an honest and discreet person capable of teaching godly learning. Now, Sir, if educated persons filling the respectable position of Baptist ministers have been made to believe that the Court of Chancery has declared any such nonsense, one cannot be surprised that there should be some excitement, or that petitions should be poured in for an alteration of the law. Of course I entirely acquit my hon. Friend the Member for Swansea of being a party to any such misstatement. He knows, as well as I do, that the Court has laid down no such rule. He knows, as well as I do, that, in determining the character of a school, the Court examines first of all the deed or other instrument by which it was founded. If the language of the founder shows his intention without any ambiguity, the Court carries out that intention, whether it be in favour of the Church, or of any Dissenting body. But if the language of the founder be from any cause ambiguous, the Court then admits evidence to show in what sense the ambiguous expressions were used; they ascertain whether the words had the same meaning at the time when the school was founded which they have now, and whether they were used in any special sense by the party or sect to which the founder belonged. They consider what the state of the law was at the time, and further they inquire what has been the usage of the school from the time when it was first founded. And this is a very important point, and not to be overlooked in considering that hypothetical case which my hon. Friend put, and which appeared to me to make a stronger impression on the House than any other part of his able speech.

He said that if a school had been founded by a Dissenter, and had been carried on ever since its foundation by Dissenters, or trustees, and teachers; yet if the instrument by which it was founded did not expressly say that it was in trust for some Dissenting community, the Court of Chancery would consider it a Church school, and on an application for that purpose exclude all Dissenters from being trustees. Now, I take upon me to say that is not the law. I say the Court would look in such a case to the usage of the school. I will refer to two cases. The first is a leading case on the subject, the Attorney General *v.* Pearson (3 Mer. 400), in which Lord Eldon said, "Where an institution exists for the purpose of religious worship, and it cannot be discovered from the deed declaring the trust what form or species of religious worship was intended, the Court can find no other means of deciding the question than through the medium of an inquiry into what has been the usage of the congregation in respect to it; and if the usage turns out to be such as can be supported, I take it to be the duty of the Court to administer the trust in such a manner as best to establish the usage, considering it as a matter of implied contract between the members of the congregation." That that is still the doctrine of the Court, and that it applies to schools as well as chapels will be seen from the case of the Attorney General *v.* the Bishop of Worcester, in which Sir George Turner, one of the very Judges who decided the Ilminster case, said, "There is some reason to suspect that this school (the Kidderminster school) was in connection with the Church of England, but the evidence shows that the usage has been to admit the children of Dissenters, and in the absence of any positive evidence confining the benefit of the charity to members of the Church of England, I think the question must be governed by usage, and that the Attorney General is, therefore, entitled to have this restriction removed."

Sir, my hon. Friend has told the House that he has introduced this Bill not as an aggression on the Church of England, but as a defensive measure to protect the Dissenters from an aggressive movement on the part of the Church. I do not for a moment question his sincerity in making that declaration; but having endeavoured to show that the Bill is not required for the protection of the Dissenters, I must add that outside the walls of this House the promoters of the Bill do consider it a very important blow to the principle of an Established Church. I need only refer to a speech lately delivered at a meeting of the Liberation Society by Mr. Miall, a gentleman who, whether we agree with him or not, commands our respect by the ability and frankness with which he states his opinions. In that speech Mr. Miall, speaking of the Ilminster case, and of the Bill now before the House said, "he believed that the Judges of the law courts had interpreted the law of England according to the principles upon which they could alone interpret it, whilst there remained an Established Church. Even toleration was inconsistent with the principles of an Established Church, it was only unsaying by one law what was established by another. Under these circumstances they were making a most deadly thrust upon the principle of an establishment by standing forth and saying in regard to schools, the endowments of which might be said to have passed into a state wherein they became national property, they were as much the property of Dissenters as of Churchmen." Sir, I believe that Mr. Miall is quite right, and that if this measure pass into a law it will inflict a heavy blow upon the Church of England. An attempt has been made to-day to show that the number of schools to which the provisions of the Bill will be applicable will be comparatively small. In reply to that argument I must draw the attention of the House to the language of the principal clause.

> "No endowed school or educational charity shall be deemed to have been founded for the purpose of affording religious instruction according to the doctrines of the Church of England exclusively, unless from the language of the instrument founding or endowing the charity it shall appear that such was the intention of the founder thereof."

Now, Sir, I very much doubt whether there is a deed of trust in all England in which the founder of a school has used the word "exclusively," or any equivalent expression. The founders of schools usually think it quite sufficient to say what they do mean, without going on to say what they do not mean, to be taught in their schools. The clause therefore, as it is drawn, will extend the application of the Bill to all the schools belonging to the Church. And what will be its effect? To interfere with and control the reason and discretion of the Court of Chancery, and alter its rules of evidence and construction, and that in the most partial and unfair manner. Up to this time those rules have been precisely the same in all cases. The will of a Churchman and the will of a Dissenter have been equally sacred in the eyes of the Court. In the Ilminster case the Court, applying the known rules of construction to the particular circumstances of that case, held that the words "godly doctrine" meant the doctrine of the Church of England; in Lady Hewley's case, by a similar application of the same rules, the Court held that the words "godly preachers of Christ's holy Gospel" excluded clergymen of the Church of England, and limited the benefits of her charity to Protestant Dissenters holding Trinitarian opinions. Now, it is remarkable that, of the four Bills which the hon. Member for Swansea has introduced on this subject, the two first had at least the merit of being impartial. Those measures were not confined to the endowments of the Church, but also embraced within their scope all those of the Dissenters. But I presume there was some apprehension among the promoters of this agitation that such a Bill if passed into a law would repeal, to a considerable extent, the Dissenters Chapels Act, which was passed a few years ago, and by which it was provided that if any Dissenting congregation had been in possession of any chapel or school for twenty-five years they should not be disturbed in that possession, unless on the face of the deed or other instrument declaring the trusts thereof it should appear that some different doctrines were to be taught there. Well, so it was, that in the early part of this year the hon. Member withdrew the Bill which dealt equally with Churchmen and Dissenters, just when it stood for a second reading, and substituted for it one which, while it did not touch the outside wall of the schools belonging to the Dissenters, proposed to deprive the members of the Church of England of schools of which they had had exclusive possession, not for twenty-five, but for three hundred years, unless they could show that by the language of their original deed of trust the doctrines of the Church of England exclusively were to be taught. Now, as to the manner in which these deeds and wills were framed. My hon. Friend has been searching very diligently into the voluminous reports of the Charity Commissioners, and has produced to the House some few instances of school trusts framed with great skill and care even in the time of Edward the VI. No doubt there were skilful lawyers in that time, and those who resided in London or in some large provincial town might avail themselves of such assistance; but when we remember the comparative difficulty in those times of travelling and of communicating by letter, we shall rather expect to find, as we know to have been the case, that the great majority of the deeds and wills by which these small endowments were created were drawn up in very loose and vague terms, sufficient to show the founder's intention if you place yourself as the Court of Chancery does in the position of the founder, and read his words by the light of contemporary circumstances and subsequent usage, but not sufficient to show that intention if construed by such a narrow, rigid, and artificial rule as that which it is proposed by this Bill to introduce. Then, too, in how many cases has the original deed of trust been altogether lost; but the schools have gone on notwithstanding. Public notoriety, long established usage, and undisturbed possession have stood in the place of any deed; subsequent benefactors, in many instances the clergyman of the parish, have enriched with additional endowments the old charity about whose appropriation to church purposes there never had been any question; and now comes my hon. Friend and proposes to wrest from the Church at once the old foundation and the added endowment, unless it can be proved from the very words of the original founder that his school was intended for the inculcation of church doctrines and of those exclusively. He has argued that the founders of schools intended for the benefit of the Church of England were the more likely to be careful in guarding their endowments by clear and explicit declarations of their intention, in that period of time which came next after the Reformation, because they knew that their Church was a new Church lately set up; but with great submission that is a view of the matter which, though very common among Dissenters of the present day, did not prevail among Churchmen in the reign of Edward the VI. They considered the Church of England to be the same Christian Church which had existed for centuries in the land, set free from those corruptions by which, as time passed on, it had been more and more encumbered. No Christian man at that time contemplated the possibility of a multiplicity of Christian churches standing side by side in the land. And as to the suggestion that a careful founder would provide by clauses against such a reaction as occurred in the reign of Queen Mary, it is surely sufficient to observe that, with an obedient Parliament at her command, Queen Mary would soon have cut through the strictest clauses which the wit of man could frame. Therefore, Sir, I contend that in these early deeds of trust, you have no right to look for that explicit declaration of intention which you would expect to find in similar instruments at a later period, and that the Court of Chancery is justified in holding that founders of schools who, living at a time when one religion, and one religion only, was allowed by law to be taught, expressed their desire that in schools which they founded religious instruction should be given, must be considered in the absence of all evidence to the contrary, to have meant instruction in those doctrines which had the sanction of law in exclusion of those which had not that sanction. But the argument does not stop there. I have said that the founder's intention is the first thing to which the Court looks. If that intention can be ascertained, it is sacred in the eyes of the Court, whether the founder were a member of the Church or a Dissenter. But if it be impossible to ascertain that intention, either from his own language, or from continued usage, then the Court of Chancery, considering, as Lord Justice Knight Bruce said, in the case of the Attorney General *v.* Cullum, that any scheme of education without religion would be worse than a mockery, and having no other standard of doctrine to which it can resort, except that of the Established Church, requires that religious instruction shall be given, and that the teacher by whom it is given shall be a member of that church. Is there anything unreasonable in that rule? That it is inconsistent with perfect religious equality, I freely admit. But so long as you have an established church, can you have such equality? You may have perfect religious liberty, you may have perfect equality between rival churches and sects in respect of civil rights and privileges; but so long as you have an Established Church, the doctrines of that church must have a preference in the eyes of the law over all others. That no other course is open to the Court is clear from the Act passed in the 19th year of *George* III., for the relief of Protestant Dissenting Ministers and Schoolmasters, by which, after declaring that Dissenters who made certain declarations were not to be prosecuted for teaching and instructing youth as tutors or schoolmasters, it was nevertheless in the third clause provided that the Act should not extend to the enabling of any person dissenting from the Church of England to hold the mastership of any endowed school, unless the same should have been founded since the first year of *William* and *Mary*, for the immediate use and benefit of Protestant Dissenters.

Well then, Sir, having humbly endeavoured to vindicate the principles by which the Court of Chancery is guided in declaring the purposes to which these educational endowments are applicable—first, in those cases in which the founder's intention can be ascertained; and secondly, in those cases in which it cannot be ascertained—I must add a few words on the complaint which has been made that by the practice of the Court of Chancery Dissenters are in some cases excluded from being trustees even of those schools, in the management of which they had in past time been allowed to share without any objection being raised to their doing so. Sir, it is with great pleasure that on this branch of the question I find myself in complete accord with the hon. Member for Swansea. He has declared in a spirit of justice and candour which does him the highest honour, that so long as any endowment is legally appropriated to Church purposes, he cannot support any proposal to invest Dissenters with a share in the control of that endowment, and that for that reason he expressly declined to give any support or sanction to the Bill introduced last year by Lord Stanley of Alderley in the House of Lords, under which, if it had passed into a law, Dissenters would have been admissible as trustees of almost all the Church schools in the country. Such a law would have been altogether opposed to all the principles of equity. In its administration of trusts the Court of Chancery has regard — first, to the purposes to which the trust fund is appropriated; secondly, to the persons who are to benefit by the carrying out of those purposes. The trustee of the fund is only so much legal machinery for carrying out those purposes for the benefit of these persons; and however honourable and desirable the office of trustee may be, no person can be allowed to claim it as a right or privilege to himself if his obtaining it will in any the least degree prejudice or endanger those objects for the sake of which the office itself exists. In the case of the Norwich

Charities (2 M. & C. 305) Lord Cottenham, than whom there never was a Chancellor more anxious to extend the benefits of the old endowments to Dissenters, wherever it could be done without injustice, said—

> "The Master in selecting new trustees has with my entire concurrence, whenever the charity was for Church purposes, selected as trustees persons who were members of the Church of England. It has been thought proper that, when the object of the trust has been exclusively connected with one religious party, the trustees who were to have the control over it should be of the same religious party."

That that is a just and reasonable rule I can hardly think that even the Dissenters themselves, when they have fairly considered it, will be disposed to deny. It is very true that many cases may be found, in which persons who were actually Dissenters have, on the filling up of vacancies in the trust by surviving trustees, been admitted to share in the management of charities which belonged to the Established Church. Nothing can be more natural than that such a thing should often happen. The Dissenters in this country, to use a modern expression, are not ticketed; in the eye of the law they are, except when they wish to claim any privilege or exemption granted to them as Dissenters, members of the Church of England. When the name of a respectable neighbour is proposed as a new trustee, it is an invidious thing to ask questions about his religious opinions, and, knowing as practical men how these matters are often settled by the farmers and tradesmen of a parish, we can easily see how, without any great blame to any one, it has come to pass that persons dissenting from the Church of England have been admitted, not in their character of Dissenters, but simply as respectable inhabitants of the place, to be trustees of Church schools. But it would be quite another thing if, because there may have existed in particular places, without any contention or discussion, such laxity of practice, the Court of Chancery were, in a suit for the appointment of new trustees, to appoint as trustees of endowments applicable only to purposes connected with the Church of England persons who admitted themselves to be Dissenters from that Church. I need hardly ask what would be the feeling of Dissenters, if members of the Church of England were nominated by the Court to be trustees of their schools; of the Roman Catholics, if Protestant; of the Jews, if Christian trustees, were so forced upon them.

Sir, the hon. Member for Stamford has already drawn the attention of the House to the negative character of this Bill. In the schools to which it will apply the doctrines of the Church of England are no longer to be taught exclusively, but what other doctrines may be taught along with them, or instead of them, the Bill does not inform us. I listened very attentively to the speech of the hon. Member for Swansea, but I could not discover that he proposed any substitute for the present system, except that from some of his observations I inferred, that he is one of those who, to use his own words, prefer general to special religious instruction. I have not myself the smallest doubt, and I believe my hon. Friend is of the same opinion, that the practical result of his Bill will be to establish in all these schools what is called the secular system, that is to say, a system of mere secular teaching without any religious instruction at all. I am sure that that is the necessary logical result to which the adoption of the Bill must lead. There is no natural halting place between the denominational and the secular system. In voluntary associations persons whose opinions do not differ very widely may combine for the purpose of teaching those points on which they agree, leaving those on which they disagree for special instruction at home. As an example of such combination, we may look at the British and Foreign School Society, in which Churchmen and Protestant Dissenters, coinciding in opinion to a very considerable extent about the more important doctrines of Christianity, have agreed to teach in their schools the authorized version of the Scriptures without catechisms or other special formularies. Well, that is a very useful society, and I heartily rejoice that the Dissenters have so good an organization for providing their children with good schools and well-trained teachers. But clearly that is not a basis upon which, excluding as it would the Roman Catholics and the Jews, the Legislature could take its stand. Nor, if you once give up the denominational system, as it is called, in the vain hope of satisfying the scruples of different sects, will you find any place at which you can stop short of that secular system which, while it consults the feelings of all sects by striking out everything to which they can object, gives real satisfaction to none of them, because it puts out of sight those subjects the teaching of which they all consider to be the chief end and object of education. Sir, this is not a new question in this House; on two former occasions have the advocates of the secular system endeavoured to force that system on the country, first, in our elementary schools in 1847, and secondly, in our universities in 1854. On both occasions they were defeated by the decision of the House; on both occasions, I believe, that decision was ratified by the voice of the country; and I am confident that, as soon as the real tendency of this measure is understood, its condemnation will be almost universal. We are told by the preamble of the Bill that its object is to throw open the schools to which it will apply to a greater number than at present. Now, if the Bill is to take effect by substituting some other system of religious teaching for that of the Church of England, I ask what is the religious body whose teaching will be more generally acceptable to the people of England than that of the Church? I will admit for the sake of argument, although it is known to be matter of controversy, that the Dissenters and Roman Catholics combined constitute one-half of the population; still it will not be denied that the members of the Church are vastly more numerous than those of any other one religious community, and I will venture to add that the Church of England is the most comprehensive and the least exclusive body of Christians to be found within this realm. But if the Bill is to take effect by eliminating all religious instruction, and substituting the secular system in its place, then I believe that Dissenters and churchmen will be alike opposed to the change. I am confident that the religious Dissenters who have petitioned in favour of the Bill would not have done so, if they had understood that the result of its adoption will be to introduce a purely secular system of teaching in the schools to which it will apply. If there is one thing about which the people of this country of all classes are more especially anxious, it is that their children should have a good religious education; and speaking generally—there are, no doubt, exceptional cases—but, speaking generally, I believe the Protestant Dissenters do, in parishes where they have not schools of their own, send their children without fear or scruple to the schools of the Church of England; and I feel quite sure that they would far rather send them there, to be taught the Bible and all the great truths which it proclaims, than to schools where they might receive, perhaps, very excellent instruction in arithmetic and history and geography, but from which the Bible would be excluded. I must remind the House that the Court of Chancery, wherever it is not restrained from doing so by the will of the founder, requires certain relaxations to be made by the trustees of church schools in favour of Dissenters, exempting the children whose parents wish them to be so exempted from the obligation to attend the parish church or to learn the church catechism. In the wisdom of such concessions to the feelings of Dissenters I entirely concur, and to show the House the result of such a system, where it is honestly carried out, I may refer to an account drawn up some years ago by the present Bishop of Manchester of King Edward's school at Birmingham, of which he was then the master. The governors were all members of the Church of England, and the doctrines of the Church were taught in the school; but parents were allowed to ask that their children might be excused attendance during those hours which were more especially devoted to religious instruction. The result was, that that exemption was not asked, except by a few members of the Jewish persuasion, although the school contained more than 1,100 boys, of whom about one-third were the children of Dissenters. Therefore I must respectfully ask again to express my strong conviction that this measure will be not only a most unjust spoliation of the Church of England, but will also be a positive injury to the Dissenters, by substituting for the present system of instruction one far less acceptable and far less beneficial to them. I will add only one consideration of a practical nature, and that is that the tendency of the measure will be to lower the character of the teachers in our Endowed Schools. At present many young men of thoughtful and earnest characters choose for themselves the occupation of a teacher from higher and purer motives than the mere expectation of pecuniary gain. They seek of course a livelihood for themselves, but they hope in obtaining it to be instrumental in preparing their scholars for another life, as well as for this. But if religious instruction be discarded and a secular system adopted, those better and higher motives must of necessity be taken away, and you must expect that the general tone and moral standard of the teachers, as a class, will be lowered in consequence. For these reasons, Sir, it appears to me that the Bill, if allowed to pass, will have very mischievous effects, and I therefore beg to second the Amendment of the hon. Member for Stamford, that it be read a second time this day three months.

THE ATTORNEY GENERAL: I have listened with much pleasure to the speech by which the Amendment has been introduced by the hon. Member for Stamford (Sir Stafford Northcote), and I can assure the House that if the law as it now stands admitted of this question being dealt with by the Court of Chancery in the same spirit of liberality, there would be no need of legislation upon this subject. But it is because that power does not exist, because there are artificial presumptions and rules of construction binding upon courts of justice, and compelling them to administer these charities in a manner which, if I am not mistaken, this House will not think consistent with public interests, that I think some further legislation is required. I may say, too, that this Bill is justified by the complaints which have been made by many Judges who have had to administer the law upon this subject, that they have been compelled to approve schemes of exclusion founded upon principles incompatible with enlarged views and a sense of public utility. Admitting that there might be a necessity to alter the language of the Bill, that the difficulty of laying down precise rules upon the subject of whether Dissenters are to be excluded or not is great, still those are matters which can be considered by a Committee of this House, or, if it be preferred, by a Select Committee upstairs. I will endeavour briefly to point out the necessity for some legislation. There are certain artificial rules and presumptions which prevail in the Court of Chancery upon these subjects. First, it is assumed that all educational charities founded before the Reformation must now be of necessity confined exclusively to members of the Church of England. That is an arbitrary principle founded on the presumption that, as at that time no difference of religious opinion was permitted by law, these educational foundations must be assumed to be intended wholly for the benefit of members of the English Church, in its then Romish form, and now to belong to the same English Church in its Reformed and Protestant character. That, I think, is an arbitrary inference which the House, I hope, will not consider it desirable to perpetuate. By parity of reasoning the next construction, by which the Courts feel themselves bound, is that all schools founded after the Reformation and before the passing of the Act of Toleration must be administered for the exclusive benefit of members of the Church of England because during that period no other form of religious worship was permitted. That, too, is an artificial presumption, which may well be got rid of. I think that both those principles were swept away by the different policy which was introduced by the Act of Toleration, and they ought not to be continued longer. The third artificial rule is, that where an educational charity is established without anything being said about religious instruction, or that the nature of the religious instruction is not defined, the Court of Chancery presumes that religious instruction must be intended, and that it can only be given according to the form of which alone the court is cognizant—namely, in conformity with the principles and doctrines of the Church of England. There is another rule, which is more mischievous still, and that is if a school be founded with a direction that the schoolmaster shall be a clergyman in holy orders, the Court of Chancery will make no regulation concerning religious instruction, but will leave it entirely to the master. The practical result of that is that the school may be presided over for a time by a clergyman of liberal views, who may be succeeded by another clergyman holding quite different views; and the consequence is that while one admits the children of Dissenters to the school the other excludes them, or that the character of the religious instruction as regarded Dissenters might vary very much from time to time. These are principles which are inconvenient to the public, unwise, and being invested with a peremptory character, they are incapable of relaxation. The House has had some instances of the necessity under which the Court of Chancery has found itself placed to adhere to those rules; and I will mention a case that occurred while I had the honour of being a law officer of the Crown under a former Government, when I strove to introduce a more liberal administration of these charities. I refer to the Chelmsford Grammar School. A scheme had been prepared under the direction of the law officers of the Crown, in which, after providing for religious instruction according to the doctrines of the Church of England, it was proposed that "no child whose parents or guardians upon conscientious grounds object thereto shall receive instruction in the Holy Scriptures, or Catechism, Liturgy, doctrines, or discipline of the Church of England; provided that every such objection shall be made in writing in the first instance to the head master, who shall communicate the same to the Board of Management." It came on to be discussed before Vice Chancellor Wood, who felt himself not at liberty to approve the scheme with that particular provision. A scheme was therefore settled upon an entirely different footing, and the result was that the children of Dissenters were excluded altogether from the benefits of the charity. In the decision upon that occasion it was laid down

> "That religious instruction being a necessary part of education in a grammar school, and there being reason to believe that such instruction was originally intended to be according to the doctrines and principles of the Church of England, the Court could not sanction the insertion of any clause in the scheme exempting those scholars whose parents conscientiously objected thereto from receiving such instruction."

Here the artificial presumption prevailed that because the school was founded in the reign of Edward VI., the words "godly learning and instruction" must be construed with reference to the particular tenets then prevailing. In the case of the Stafford Charities, which came before the Master of the Rolls, when it was sought to introduce two or three Dissenters upon the Board of Management, the learned Judge, although very well inclined to take a liberal and enlarged view, lamented his inability, having regard to the state of the law, to admit them; and it was held that a grammar school founded and endowed by Edward VI. is substantially a Church of England school, and that members of the Church of England alone should be appointed trustees. If the House says it will adhere to that rule, that schools founded at that time, when there was no toleration, shall be conducted upon a principle of intolerance, even in these days of toleration, then I admit no change is necessary. But if, as I believe, the interests of the Church itself will be best served by not administering these charities upon such narrow and exclusive principles,—if, as I believe, the intention of the founders are not really to be arrived at by reference to extraneous circumstances—such as the intolerance of the State over which he had no control, and which was wholly independent of his intention—then I think the House will agree with me that some legislation is necessary. We acknowledge that if the intention of the founder can be shown without recourse being had to these presumptions, and that that intention was to make the school exclusive, then it must remain confined to the Church of England; but to take these foundations, and attribute to them a character arising only from the intolerance of the times, is not a wise rule of administration, not conducive to the real interests of the Church, and opposed to all true principles of public policy and the dictates of Christian charity. These are the grounds upon which I conceive these rules require to be modified by the Legislature. Whether this Bill will be successful in defining the real evil and applying the proper remedy is a point which I admit ought to be regarded as open to consideration. I am not in the least degree desirous of abandoning the great duty of imparting religious instruction, and my hon. Friend who imagined that would result from the passing of the Bill drew a conclusion which is not warranted by anything in the Bill. All it says is, that religious instruction shall not in these general cases be instruction according to the doctrines of the Church of England alone; but it leaves the obligation of accompanying education with religious instruction untouched and unimpaired. That obligation might be carried out in a variety of ways, but at present the only mode of doing it was by teaching the catechism and the whole discipline of the Church of England. Of course, the practical result is that the children of Dissenters are excluded from these schools. I do not consider we are in the least degree impairing the obligation to impart religious instruction by saying that such religious instruction shall not be necessarily of an exclusive character. The true difficulty is that which has been referred to by the hon. Baronet the Member for Stamford—that we should have satisfactory proof of what were the intentions of founders; for it is equally essential to the Church and to Dissenters that the intention of founders should be observed. The Bill proceeds upon that principle, but not admitting that intention shall be deduced from extrinsic circumstances wholly independent of the actual intention. The latter point was brought out in the Ilminster case. It is true the decision in that case was in conformity with the rule of the Court of Chancery; but will not the House agree that it was what it has been described, "an aggression upon the rights of Dissenters," for Dissenters had been admitted trustees of that school for 150 years previously, and usage, therefore, which the hon. and learned Member for Herts (Mr. Puller) sought to avail himself of for his own position had sanctioned those appointments? The school had been governed in this way without injury for so long a time, and yet these artificial rules are so imperative that the Court of Chancery could not give effect to usage, and declared that the trustees must be members of the Church of England. I do think these rules require modification. I admit we should always adhere to the intention of the founders; but I say we should obtain our definition of those intentions from legitimate proof, and not ascribe intentions from extrinsic circumstances which do not apply to them. Without troubling the House further, I may say these are the grounds upon which the Bill, although open to criticism, does deal with a great want. I believe legislation wisely applied will redound to the advantage of the Church of England, and in that spirit I shall give my vote in favour of the second reading, with the understanding that the language of the Bill will remain open to alteration in order to accomplish the object which it is intended to effect.

SIR HUGH CAIRNS said, that the subject which the hon. Member for Swansea had brought under the consideration of the House in this Bill was one the importance of which could not be overrated. For his part, having had considerable opportunities of examining the question, he should have been very glad if, instead of introducing a Bill so open to objection as that before them, the hon. Gentleman (Mr. Dillwyn) had brought forward a proposition for an inquiry into what he (Sir Hugh Cairns) believed to be the only just ground of complaint that at present existed as regarded the Dissenters in this country. His hon. and learned Friend the Attorney General held out the hope that in Committee this Bill might be altered to what it was not now; but the second reading was the stage of the Bill in which its principle ought to be decided. His hon. and learned Friend had laid down two or three principles, every one of which might be made the subject of a Bill, but any one of which was inconsistent with the others. His hon. and learned Friend had spoken of the great hardships inflicted in the Ilminster case, where for 150 years trustees had been appointed without reference to their religious opinions. Now, was this the principle which his hon. and learned Friend wished to see established—that where there was no express statement in the deed of foundation the usage of a certain number of years should be a criterion with regard to the use of the charity in future? If his hon. and learned Friend meant to do that, then he (Sir Hugh Cairns) must observe that the Bill which he was about to vote for was quite at variance with his intention; because, whereas there had been in this country for some hundred years a certain usage in respect to the construction to be put on educational foundations, the House was now asked to overrule everything that had hitherto been done, and follow out a new principle indicated by his hon. and learned Friend and stated in the second paragraph of this Bill. Therefore he must call on his hon. and learned Friend to "elect," as the saying was, and declare on what principle he was going to proceed. If the precedent laid down in the Dissenters' Chapels Bill were followed up by the framer of the Bill he could understand an application to the House to relieve the Dissenters in that way; or if he were going to introduce a measure for the appointment of trustees without regard to religious belief in cases where there was nothing in the trust-deed to negative that course, that might be a proposition worthy of consideration by the House; but that was not the Bill they were now discussing. When the Ilminster case was cited the House should understand that there was nothing in the Bill which would affect the decision in that case. But what was really the case with respect to these charities? There were in existence in this country a great number of educational charities, which were at first the results of endowments of such low amounts as £5 or £10, given for the payment of schoolmasters—in these cases the Courts had held, whether rightly or wrongly, that the schoolmaster must be a member of the Church of England, and give religious instruction in accordance with the doctrines of that Church. Year after year an increase had been made in the amount of those foundations by subscriptions, donations, and legacies, made by various persons, on the faith of those schools being Church of England schools. So that in many cases, what was almost contemptible at first had become by accretion a large and important charity, the additions being made on the understanding that it was in principle and practice connected with the Church of England How did his hon. Friend propose to deal with such a case as that? Why, he proposed to look to the original foundation deed, and see whether, according to a construction now to be introduced, there was anything to show that the charity was to be exclusively devoted to the Church of England, and if that should not distinctly appear, then the wishes of all subsequent donors were to be disregarded, and their funds confiscated by applying them differently from what they had intended. Which principle, then, did his hon. and learned Friend, the Attorney General, intend to adopt—for he could not have both—the principle included in this Bill or the principle of usage? His hon. and learned Friend said that the advocates of the measure did not desire to abandon the duty of religious instruction. But what were they to do if the Bill passed? If Parliament declared that religious instruction should not be given according to the doctrines of the Church of England exclusively, either they must give no religious instruction at all, or else they must give religious instruction according to the doctrines of every possible sect that might be represented in the school. They could have no other alternative. Instruction must be either according to the doctrines of the Church of England exclusively, or according to the doctrines of every sect, or there would be no religious instruction at all. His hon. and learned Friend, wishing to uphold religious instruction, would, if this Bill passed, find himself disappointed, for it would be impossible to give any religious instruction at all. The first thing the House should thoroughly understand was what was the principle on which the Court of Chancery had proceeded. The Court had never done anything so foolish and absurd as to construe the deed of foundation as implying something not to be found on the face of the deed itself. It took a deed founding an educational charity, and it proceeded on it in the same way as it did with any other deed—it went simply on the deed itself. But then it looked also at the time in which it was made, at the circumstances of the person who made it, at the use of words at the particular date, and having found that a word meant something then which was different from its meaning now, the Court construed the word according, not to its present usage, but to its meaning when it was employed in the deed. It was in the power of the Legislature to modify any doctrine of any court in the country; but it must be remembered that they could not compel one construction to be placed on a deed when it endowed a school and another when it endowed an almshouse. The present construction must be changed in all deeds or the construction must be preserved in all. In Lady Hewley's case words were used of the most vague kind, if read as we read now. It was an endowment, "to provide for poor and godly preachers of Christ's Holy Gospel." Looking at these words according to the present usage, clearly they would not exclude the Church of England; but the construction of the Court, by which Dissenters now hold the charity exclusively from the Church, was, that looking to the use of the words at the time they were employed in the deed, it was clear that they meant something different from what they now meant, aud that in point of fact they were intended to point out Nonconformists, as distinguished from members of the Church of England. And the Court of Chancery, acting on that principle, handed over the whole of the funds of the charity to the Dissenters, and deprived the Church of any share in it. Were the Dissenters desirous to undo what was then done?—because they could not maintain the principle contended for by the introducer of the Bill unless they did—they could not say that the Court was in one case to construe words as they were originally employed, and in another to construe them according to present usage. His hon. and learned Friend had referred to the Chelmsford case. In the case of King Edward's Schools he said the Court of Chancery had decided that because they were instituted after the Reformation, that upon that ground, and upon that ground alone, they were grammar schools for the Church of England. The Court had not done so. But this they had done. It was found that, with regard to some of them, they were raised on the foundation of extinguished Church property, and that with regard to all of them, there was the provision that the Bishop of the diocese was to frame the rules of the schools, and to superintend them as visitor; and, consequently, the Court of Chancery said, when they found that religious instruction was to be given, that a Bishop of the Church of England was to make the rules and be the visitor, they held that the religious instruction must be such as a Bishop could indicate and sanction, and, therefore, that it must be according to the doctrines of the Church of England. Was that going out of the deed? He said it was not. It was finding the intention of the founder in the four corners of the deed, pursuing only a fair judgment in construing it. The first clause of the Bill now before the House provided that no endowed school should be considered a Church of England school exclusively, unless from the language of the deed, founding or endowing the charity, such should appear to be the intention of the founder. Now, if the Bill were without a preamble, and the question were simply whether the Bill should pass or not, he would not object—it might be allowed to pass with the greatest safety; for it simply declared what was the present doctrine of the Court of Chancery. But he could not accept the Bill, because its promoters said it was their intention to alter the law; and he said, if they altered the decision of the Court with regard to the construction of deeds concerning educational charities, they altered it with regard to the construction of all deeds. The hon. and learned Gentleman had alluded to the Chelmsford case, and had given a reference to the extent to which in modern times the Court of Chancery had introduced what were called "conscience clauses" into charitable schemes. He differed with his hon. and learned Friend as to the Chelmsford case. There was no doubt that the "conscience clause" was not inserted, but the reason was that the Vice Chancellor, Sir William Page Wood, thought that the visitors had the control, and that he could not interfere with them. But the course taken with regard to "conscience clauses" was well worthy of the consideration of the House. The Court had given decisions in two classes of cases. In one, the founder had provided simply that "religious instruction" should be given; in the other, it was expressly said that every scholar should be taught the Church of England catechism. The Court of Chancery decided that in the latter cases the school was a Church school, and that every scholar must learn the Church catechism; and in the other, where merely religious instruction was to be given, that it was not compulsory to teach it to the children of Dissenters, and they therefore introduced the "conscience clause." He would read a conscience clause—one settled by Lord St. Leonards, when Lord Chancellor, in 1852, with his own hand, and after consulting the authorities and bestowing great care on the subject. It was for the Basingstoke School, and it was as follows:—

> "That religious instruction shall be given by the master by reading the Scriptures and the Liturgy, Catechism, and Articles of the Church of England, to such of the boys whose parents are in communion with the Church of England, and to such other boys whose parents or person *in loco parentis* shall not object to their receiving it."

There were more recent clauses; and within the last year or two there had been raised questions such as that in the Chelmsford case, whether objection might not be taken by the visitors to the conscience clauses. There was no doubt that upon appeal to the Court of Chancery, when the foundation deed permitted, conscience clauses might be introduced; but he thought it would be desirable if, without going with each individual case into the Court of Chancery, some general measure could be introduced, by way of amendment, perhaps, to the Grammar Schools Act, to enable, either through the medium of the Charity Commissioners or some short and inexpensive process, such clauses to be introduced. This, to his mind, was a grievance, of which the Dissenters might justly complain; but this was a grievance which the Bill did not touch. The remedy could, he thought, only be applied on a large view of the foundations, the rights of visitors, the existing schemes, and how they would be interfered with by the contemplated measure. He thought it would be desirable that something equivalent to a conscience clause should be introduced wherever the foundation deed would permit this to be done; and if there were any cases in which it had been the practice to choose Dissenters as trustees, he would even be willing, supposing the foundation deed to be silent on the subject, to see the principle of the Dissenters' Chapels Act applied. But these things could only be done by means of a Bill in a form less vague than the present, and after due inquiry. He trusted, therefore, that the House would not pass the second reading of this Bill, in order to have it converted into some other Bill in Committee; but that it would wait for the introduction of a more definite measure, or the appointment of a Committee or Commission of Inquiry.

Mr. MELLOR said, that although he thought that the Bill was ambiguous in language, and possibly open to objection in point of form, he felt indisposed to vote against its second reading, since the necessary Amendment might be made in Committee. The principle decided by the Dissenters' Chapel Act was that where a sect had possessed a chapel twenty-five years their right should be recognized without reference to the original foundation, and this settled a vexed question between the Presbyterians and the orthodox Dissenters, and did not at all affect the Church. The Ilminster case had been alluded to, and he was glad to find that the principle decided in that case was not defended by any one. In the reign of Edward VI., before the establishment of the liturgical formularies at present in use in the Church of England, two persons, inhabitants of the town of Ilminster "desiring the virtuous education of youth in literature and godly learning, whereby they should better know their duty to God and to the King's Majesty," assigned certain property to trustees, in order to provide "a discreet person, of good behaviour," &c., as schoolmaster. The deed then provided that the surplus should be devoted to the repairing of roads and watercourses, and also for the appointment of new trustees, who were to be "honest persons of the parish of Ilminster." Here there was no question as to the teaching — the schoolmasters had always belonged to the Church of England. The simple question was, whether Dissenters could, by construction of the context, be brought within the description of "honest persons of the parish of Ilminster;" and the Lords Justices held that they were constrained to decide that this being a foundation established in the reign of Edward VI., Dissenters could not come within the denomination of "honest persons." For 150 years Churchmen and Dissenters had been joined in the administration of the trust funds, and the surplus funds had been applied to the highways and watercourses; yet the decision was, that although there was a very large surplus thus applied, yet that because it was connected with a trust for teaching "godly learning" they were constrained to decide that Dissenters were not "honest persons" within the meaning of the foundation deed. Anything more injudicious or more fatal to the interests of religion and of the Church of England than the conduct of the clergyman who promoted that suit he could scarcely imagine. The Charity Commissioners had been applied to on the subject, and they decided that Dissenters must be appointed, and two Unitarians were appointed accordingly; and yet this High Church clergyman, presuming that, upon technical grounds, the Court of Chancery might hold that Dissenters were not the "honest people" contemplated by the founder, raked up the suit. The Master of the Rolls had said that "this could not be called a charity exclusively for the Church of England. The school undoubtedly was; but the surplus of the funds was for highways and watercourses, and this could not be considered as an insignificant part of the charity." In this state of things the clergyman interfered, and obtained a decision of the Court of Chancery that Dissenters were not eligible as trustees. He (Mr. Mellor) did not think that any Gentleman on either side of the House would get up and say that this was a state of things that ought to continue; and without endorsing at that moment the particular language of the Bill, he saw no reason why the House should not go into Committee on it. Hon. Gentlemen on the Opposition side of the House should recollect that it was not very long since they objected strongly to the refusal of their opponents to go into Committee on another Bill. The supporters of the present measure wished to make no aggression on the Church of England, but they wished to abolish that artificial presumption of the Court of Equity, by which, looking back to the period when dissent was not tolerated, the intention of the founder of the charity was taken to be identical with the artificial presumption.

Sir GEORGE LEWIS said, that he should have had no difficulty in coming to a conclusion if of the two speeches, delivered by the late Solicitor General and the present Attorney General, he had only heard one and not the other. The present Bill professed to be introduced to mitigate the effects of certain decisions of the Court of Chancery, and two most eminent and learned practitioners in that Court, either qualified to guide this House by his own opinions, so entirely differed with respect to the effect of the decisions of the Court, that he confessed that he felt the utmost difficulty in coming to any conclusion on the subject, and he doubted not the House was in a similar position. As he understood, it was plainly stated by the hon. proposer of the Bill, who explained it in a very conciliatory manner, and without overstating his case, that he introduced the measure for the express purpose of obviating the consequences of certain decisions of the Court of Chancery. Well, how could the House safely and prudently come to a conclusion on the Bill if two most eminent lawyers differed as to the effect of those decisions ? Under these circumstances, he thought that the hon. Members who had listened to the present debate must be anxious to know what was the precise evil which the House was called on to remedy. That there was evil was admitted on all hands. The late Solicitor General laid it down that there were evils which he would propose to remedy, admitting that when the decisions of the Court of Chancery interfered with the existing usage, and when they proceeded on such principles as that embodied in the Ilminster case, there was ground for interposition on the part of the Legislature. The hon. and learned Gentleman also said that he should be in favour of the introduction of some general measure, which would enable the Commissioners of Charities to introduce "conscience clauses" in certain deeds. These would be most important changes in the law, and they were recommended in the speech of the hon. Gentleman the late Solicitor General. Therefore, it was quite clear from the admissions made on the other side of the House that the present state of things as governed by the principle established by the Court of Chancery, whatever that principle might be, produced evils demanding a remedy. Still, he confessed that he felt great difficulty in coming to a decision on the Bill, as it stood at present for the consideration of the House. The decisions which governed the Court of Chancery in this matter were not embodied in any form to which that House could refer, and two learned Gentlemen differed so materially as to the principles which govern the Court of Chancery that it was impossible for a person unlearned in the law to reconcile their arguments. Under these circumstances he did not deem the matter ripe for the decision of that House ; and he would suggest to the hon. Proposer of the Bill to consider the propriety of not pressing this matter to a decision at present, but of allowing it to be referred to a Select Committee, which, in the first place, might seek to ascertain distinctly the principles which governed the Court of Chancery with respect to the construction of deeds of charitable endowment ; and, when those principles were distinctly and authentically ascertained, might next proceed to consider what remedy should be applied to the evils which were admitted on both sides of the House to exist. If the House should adopt that course he thought they would arrive at a practical conclusion more rapidly than by attempting to proceed with this Bill. He thought there was much force in the observations of the late Solicitor General, that, even if the House should agree to read the Bill a second time, they would in fact be merely affirming a naked principle, and that they would go into Committee with the object—which he regarded as most objectionable—of framing a Bill instead of passing judgment upon a Bill already existing. This course would occasion such delay that, during the present short Session, it was clearly impossible that a measure could receive the assent of Parliament. If, however, a Select Committee were now appointed, the matter might be more speedily brought to a common understanding, and there might be some hope that even during the present Session a Bill might be passed to remedy the most pressing and urgent evils which were now the subject of complaint.

MR. A. MILLS said, that if he could agree with the view which had been stated, that the Bill was intended to inaugurate a system of secular education, or an aggression upon the Church of England, he should have no hesitation in opposing it. But he confessed that he could not entertain that view of the question, which was one upon which it appeared to be admitted on both sides, that a grievance, calling for some legislative remedy, existed. One point in particular he was anxious to call attention to. The marginal note to the third clause was to this effect:—"No schools to be deemed Church of England schools unless so declared by their founders." Now, if the Bill passed in its present form, it would work great hardship. In 1522, before the Reformation, a college or school was founded by Bishop Foxe, who said nothing about religious education, in the town he (Mr. Mills) represented (Taunton). The endowment, however, was so minute that the school was dying a natural death ; in fact, it had not a practical existence until five years ago, when a clergyman of the Church of England—the minister of the parish—re-endowed it, and it was now a flourishing and prosperous institution. In his deed of endowment the clergyman had inserted this clause: that if at any time the teaching of the school should cease to be exclusively according to the principles of the Church of England, his endowment should go to the Somerset County Hospital. So that the consequence of the present Bill, if it were passed in its then shape, would be that the school he referred to would absolutely cease to exist. He wished particularly to call the attention of the hon. Member for Swansea to this point; but if the hon. Member pressed the Bill, he should not object to go into Committee upon it on the understanding that words should be inserted to meet cases of this nature.

SIR ERSKINE PERRY supported the second reading of the Bill. He thought the Home Secretary (Sir George Lewis) had dwelt too much upon the legal difficulties connected with the question. He had attended very carefully to the arguments of the Attorney General and the late Solicitor General, and he thought there was no very subtle question at stake. Here was a practical grievance, for which this Bill supplied a remedy. Recent decisions of the Court of Chancery had established that there would be no education without religious instruction, and that, in the absence of provision to the contrary, that instruction must be that of the Church of England. The Court had held that the words "godly learning," employed at the time of Edward VI., must mean the teaching of the Church of England. No such law would have a chance of passing the Legislature; yet the Court of Chancery had in effect enacted such a law. Moderate men on both sides were pretty nearly unanimous as to what should be done in this matter. They wished to prevent any ill-feeling on matters of this kind between Churchmen and Dissenters, and to deal with the question not as lawyers or Churchmen, but on grounds of public policy.

MR. WALPOLE: Sir, I think it desirable that the House should understand exactly the position in which we are placed. The Home Secretary has thrown out a suggestion that the Bill should be withdrawn, and that the whole matter should be referred to a Select Committee; but the hon. and learned Gentleman who has just spoken wishes to affirm the principle of the Bill on the second reading, and before its withdrawal. Now before I proceed, I should be glad to know from the hon. Gentleman who has charge of this Bill, whether he intends to accede to the proposition of the Home Secretary? [Mr. DILLWYN intimated dissent.] If the hon. Gentleman does not accede to that suggestion, I will support the proposition for referring the subject matter of the Bill to a Select Committee; but if he does not, I think I can show him and the House that he is asking the House to affirm a principle to which it ought not to listen for a single moment; and that the Attorney General and the law officers of the Crown ought to be the first persons to dissuade the House from assenting to that principle. The principle attempted to be affirmed by this Bill is such an alteration in the law of evidence, as that it will not be applicable to all classes of the community, but to one class only. Now, I ask whether the Government are prepared to sanction such an alteration of the law of evidence? If the Government reply in the affirmative, I tell them the consequence will be that we shall have one law of evidence for one class of the community, and a different law for another class, and such a consequence has never been admitted. If, however, the Government state that they propose—as I believe is the case—to have one law of evidence with reference to this particular subject, applicable to all classes of the community—a law of evidence founded on the principle of the Dissenters' Relief Act—then there will be no opposition on my part to such a proposition. The hon. and learned Gentleman who last spoke said, that the object was to remedy a great grievance; but the grievance he pointed out will not be remedied by this Bill. In the next place, it must be remembered that the preamble of this Bill does not coincide with the enacting clauses; and, in the third place, it must be remembered that the statements which have been disseminated throughout the country as to the nature of the decision of the Court of Chancery do not accurately represent the decision of that Court, and in consequence of the erroneous statement you are asked to affirm propositions totally at variance with the facts of the case. Even my hon. and learned Friend the Member for Nottingham (Mr. Mellor) has gravely told the House that the Court of Chancery has decided that a Dissenter cannot be a trustee for a charitable institution, because he is not "an honest man." ["No."] Well, the hon. and learned Gentleman left the House to infer so. The hon. Member for Birmingham (Mr. Bright) seems to imagine I am stating that which has not been asserted on the part of the promoters of the Bill.

But is that so? My hon. and learned Friend quoted very nearly the words of the petition, in which I find it stated, "that from the recent judicial decision in reference to the Ilminster School trusts, all Her Majesty's subjects who are entitled 'Protestant Dissenters' are disqualified from acting as trustees or administrators in all cases in which the persons filling those offices are required to be honest and discreet persons, capable of teaching godly as well as other education." Now, that is the statement which has been disseminated throughout the country; but what has the Court of Chancery decided? I speak in the presence of the Attorney General, and of the late Solicitor General, who are better able to instruct the House on this subject than any other persons, setting aside the Judges, and I say the Court of Chancery has simply decided that according to certain rules of interpretation which they apply to instruments, drawn from the circumstances of the times in which those instruments were executed, the inference must be drawn that a charity was founded with a given object, although, had the circumstances attending the foundation been different, it might have been decided that it had been founded with another object. In other words, the Court of Chancery has simply decided that I wish you to maintain as the law of evidence—that you must look, in the first instance, to the instrument creating the trust as the evidence to determine the nature of the trust; but if there is ambiguity in the instrument, or if it is silent as to particular points, then you must look to the circumstances of the time or to the usage which has gone along with that trust from the time of its foundation. The Dissenters' Relief Act lays down precisely that principle enunciated by the Court of Chancery which you are attempting to disturb, namely, that where an usage of twenty-five years has gone along with a trust, the trust is to be upheld according to that usage, unless there is anything in the deed of trust contrary to such usage. You are now asking Parliament to disturb or rather to reverse that principle. If you tell me you intend to do something else than the language of this Bill purports to do, my answer is, that nothing is more dangerous than to introduce Bills and get them affirmed by a second reading, which involve expressly one principle when you intend to establish another. The consequence of going on with this Bill will be to establish the principle that usage is not to be exercised in future in the interpretation of trusts. You are introducing this principle, which is contrary to the provisions of the Dissenters' Relief Act, and that too for the first time. Well, I now ask the promoters of this Bill, are you prepared to make your first clause general? This will test it. Instead of providing that "no endowed school or educational charity shall be deemed to have been founded for the purpose of affording religious instruction according to the doctrines of the Church of England exclusively, unless from the language of the instrument founding or endowing the charity it shall appear that such was the intention of the founder thereof," will you omit the words "according to the doctrines of the Church of England exclusively," and substitute the words, "according to the doctrines of any religious denomination or religious body?" No! You will never do that. For if you do you will at once repeal the Dissenters' Relief Act, and establish a law of evidence which is contrary to its name, it would exclude considerations of usage. Again, let me ask you, if you pass the Bill in its present form, what will you do with regard to Roman Catholic charities? You have been obliged, year after year, to suspend the operation of the general law with respect to Roman Catholic charities—and why? Because those charities were founded upon usage, and it is difficult to apply the same forms to them which you apply to other charities. Will you in future establish as your general rule of evidence, that usage is not to be brought to bear upon the interpretation and construction of these charitable trusts, and tell the Roman Catholics as a body that not one of their charities can be carried into effect? This is the result at which you will arrive if you affirm the principle of a Bill which will entirely destroy the law of evidence with reference to usage. You can settle the only practical grievance which is alleged to exist by adopting the suggestion of the Home Secretary. That practical grievance is, that certain persons who are supposed to have rights in certain charities can no longer enjoy those rights in consequence of the decision of the Court of Chancery Bill. If that be the case, remedy the grievance at once by an enactment in words which will have that effect, but do not attempt to do so by a Bill which it is admitted by every speaker will have a different operation from that which it professes. As reasonable men you must see that the proper method of settling the question is to ascertain the practical grievance and then apply a remedy; not to introduce a Bill affirming a principle which every speaker who has addressed the House contends will have a different operation from that which the supporters of the Bill say it ought to have. I entreat the House to adopt the suggestion of the Home Secretary; but if the promoters of the Bill will not accede to that suggestion, then I say we ought to refuse to affirm a principle which must lead to most fatal consequences with reference to all charitable trusts if such a law as that which is proposed should ever become general.

Mr. WALTER said, he did not wish to prolong the discussion, but as it had been said there was considerable unanimity of opinion on the subject, he thought the better course, instead of proceeding to a division, would be to adopt the suggestion of the Secretary of State for the Home Department, and to refer the question to a Select Committee. His belief was, not only that the Bill could never pass in its present shape, but that it was not fit to go into Committee. The Bill professed to provide a remedy for one grievance, but he believed that it would create a thousand grievances. The only practical grievance which existed was that, by a decision of the Court of Chancery, certain gentlemen who were trustees of a particular charity, being Dissenters, had been removed from their position in the trust, contrary to the prescriptive usage of 150 years. He admitted that that was a practical grievance; but the effect of this Bill, if it became law, would be to abolish the prescriptive usage of centuries with regard to a very large portion of the charities of this country; and he trusted the hon. Gentleman (Mr. Dillwyn) would agree to refer the question to a Select Committee, where alone, he believed, the difficulties and intricacies of the subject could be fairly dealt with.

Mr. BRIGHT: I wish only to refer to one observation which fell from the hon. Member for Taunton (Mr. Mills). The hon. Member mentioned a case in which he thought this Bill would create a grievance. It is quite possible that might be so, but I am sure my hon. Friend (Mr. Dillwyn) will endeavour to meet that case by the introduction of any words which it may be thought necessary to insert in the Bill. The right hon. Gentleman opposite (Mr. Walpole) also suggested that certain words should be introduced into the Bill with reference to the Dissenting sects. I think my hon. Friend will have no objection to extend the principle of his measure to the Dissenting sects. So far as I know the opinions of the members of the free churches of this country I believe they do not wish to apply any principles to the Established Church which they would not be willing to have applied to themselves; and if I am authorized by my hon. Friend in making that statement, I think the right hon. Gentleman may fairly be called upon to vote for the second reading of the Bill. We have heard a great deal lately about what may be done with Bills in Committee, and I believe that in Committee this Bill might be rendered a very useful and satisfactory measure. A most curious state of things appears however to prevail upon the Treasury Bench. I find on the back of the Bill the name of the Attorney General, and we have heard from him a speech which was, I think, conclusive with regard to this question. We have heard a great deal about "harmonious colleagues," and we have heard it said that a Government, in order to be strong, ought to be agreed upon all great questions; but I am very sorry to find that, upon the very first proposition made to the House, somebody does not agree with somebody else, and my hon. Friend (Mr. Dillwyn) is asked to withdraw his Bill, in order, I suppose, that we may not have the old spectacle of one portion of the Government going into one lobby and another portion into the other. I hope my hon. Friend will divide the House. He has before him the example of the question of church rates. We know how that question has been treated, how many impossible propositions have been submitted to us from the opposite side,—and we are now almost unanimously of opinion that the question can only be settled upon the principle of the Bill of the hon. Member for Tavistock. ["No, no."] I regard this as a question very much of the same character. You cannot deal with it by halves. You must admit the honest fair principle for which the Bill contends. I am sure you cannot keep matters as they are, and, although you may refuse to pass the Bill this Session, I believe that the more the subject is discussed the more likely will the House be to come to a unanimous conclusion. If I were to tell the House honestly my precise notion, it is that the Bill will not take anything whatever from the

Established Church. I believe, indeed, that the cases in which it would make any change whatever are exceedingly few, and these, as far as I can gather, are the opinions of the promoters of the measure. Generally speaking, in the case of these schools the appointment of trustees is in the hands of the bishops, of persons connected with the Established Church, of large landed proprietors, or of corporate bodies of one kind or another; and this Bill does not propose in the slightest degree to interfere with the power of appointment which these parties possess. I believe, therefore, speaking generally, that if this Bill passes into law, there will not be, ten years hence, any considerable number of cases in which any difference had been occasioned by its operation. I do believe, however, that it would do much to satisfy the minds of the great body of the Dissenting sects in the country, who feel that the decision of the Court of Chancery denies to them the commonest rights of citizens. I hope, therefore, that my hon. Friend will divide the House, and that we shall not see the spectacle of any Members of the Government calling themselves Liberal going into the lobby against the Bill.

Sir GEORGE GREY: I must say, Sir, that after the course which this debate has taken the proposition made by my right hon. Friend the Home Secretary with reference to this Bill seems to me very reasonable. I think the course of the debate has shown that there is a practical grievance which requires a legislative remedy. That is a great admission to obtain from the House. It was distinctly and candidly made by the hon. and learned Member for Belfast (Sir Hugh Cairns), and I was very glad to hear him pledge himself to give his assistance in devising a legislative remedy; but I think it has also been established that grave doubts exist whether the Bill of the hon. Member for Swansea is likely to apply an efficient legislative remedy. Under these circumstances what my right hon. Friend proposes is that we should hesitate in adopting this Bill without further inquiry into the precise nature and extent of the grievance and the best mode of providing a remedy; and I think the proposal a reasonable one. I think the observations of the right hon. Gentleman opposite (Mr. Walpole) have rather tended to lead the House away from the real question at issue. He says that the Bill proposes generally to alter the law of evidence upon which the Court of Chancery acts. Now, this Bill refers, not to modern educational trusts, in which the intentions of the founders may be clearly ascertained, but to very ancient educational trusts, some of them dating before the Reformation, and others at an early period of our history, containing the words "godly and honest men," which at the time were necessarily restricted to members of the Established Church, as they were used at a time when the numerous classes of Dissenters had no existence. These educational trusts were, in fact, intended to benefit the whole community, because the Church then embraced the whole community. But in the lapse of centuries the circumstances of the country in this respect have widely changed, and in the spirit of these ancient foundations other religious denominations have a claim to share the benefits of these educational grants where there are no express words showing an intention to limit the application of the endowments. When, therefore, the petition, which has been referred to, points out that the Dissenter is excluded from any share in the administration of these trusts, because it is required that the trustees should be "godly and honest," it states what is perfectly true with reference to educational establishments founded in the time of Edward VI., when those words bore a construction which was then necessarily placed upon them, but which could not be put upon them now. I think the House has shown in the course of this debate that it is willing to entertain the claim now put forward on the part of Dissenters upon this general ground. I have great doubt whether the Bill in its present form would really effect the object it is intended to accomplish. I think some inquiry is necessary, and the question is whether we should have such inquiry before we assent to the principle of the Bill, or whether the Bill should be read a second time and be then referred to a Select Committee. The difference between us is thus reduced to an almost infinitesimal degree. I should hope there will be no division, but although I think the Bill would require very considerable amendment in Committee, I am disposed to vote for a second reading, if the hon. Gentleman who has charge of it presses for a vote on its principle. It may then be referred to the consideration of a Select Committee, which I think might usefully inquire into the position of endowed schools and educational charities, with reference to the effect of the recent decision of the Court of Chancery.

LORD JOHN MANNERS said, that the speech of the right hon. Baronet who had just addressed the House seemed to leave in doubt what was the recommendation or decision at which the Government had arrived. Should the House agree, as he trusted it would, to negative the question that the Bill be "now" read a second time, Gentlemen on that, the Opposition, side of the House would be prepared to substitute for the Amendment to read the Bill a second time that day three months words to this effect—that a Select Committee be appointed to inquire how far, having regard to usage and the declared trusts of foundations, the educational charities of England and Wales could be made available for the education of the children of persons dissenting from the doctrine and discipline of the Church of England. He believed that a proposal of that nature would meet the equity and justice of the case, and he hoped it would be supported by both sides of the House.

THE CHANCELLOR OF THE EXCHEQUER: Sir, as my constituents naturally feel a deep interest in this question, I trust I may be allowed very briefly to state my opinions on the subject. A distinction without a difference is commonly thought to be an absurd thing, and I think a division without a difference is much worse. I may safely say, after listening to a debate of three or four hours, that there has been a general concurrence of opinion—so far as opinions have been definitely expressed —on both sides of the House. The late Solicitor General (Sir Hugh Cairns) has made a double admission, or rather a double statement, that the law requires amendment. In his opinion, if I understood him correctly, there ought to be some statutory affirmation of the principle of usage as applicable to endowed schools and educational charities, and he also thinks that in lieu of the cumbrous, uncertain, and somewhat hazardous process of procuring what are called "conscience clauses" in particular, some general law should be established by the Legislature. These are admissions on the opposite side, and I have not heard on this side anything more definite in its terms or that has gone beyond these admissions. The hon. Member for Birmingham has spoken of the great principle asserted by this Bill, and he seems to think the vote of the Members of the Government ought to be determined, not with reference to the particular merits of the measure, but rather by the political title which the Government is supposed to bear. Now, I do not see in this measure the elements of party difference; because the hon. and learned Gentleman who is entitled to speak on behalf of the party with which he acts substantially concurs with every hon. Member who has spoken on this side the House. In point of fact, we have reduced our difference to the narrowest limits. On the one side it is argued that a Committee ought to be appointed to inquire into the subject, and on the other side it is admitted that a Committee ought to be appointed to inquire into the Bill. The hon. Member for Birmingham says, "Let us go into Committee on the Bill, because it is susceptible of amendment," and he adds with great significance, "We have been told lately that a great deal can be done with a Bill in Committee." It is quite true we were told that many things might be done in Committee with a Bill; but a majority of the House decided that they should not be done, and the hon. Member for Birmingham was one of the majority who supported that decision. It is admitted, on the one hand, that if the Bill goes into Committee its character must be very materially altered; and, so far as an anticipation can be formed, I think it is very unlikely that the only important enacting clause of the measure would survive the operations of a Committee. My noble Friend who spoke last (Lord John Manners) stated that if the Motion for the second reading of the Bill were negatived he would be ready to move for a Committee of Inquiry. I would therefore suggest that the proposal to read the Bill a second time this day three months should be withdrawn. It would then still be open to those who wished to negative the second reading now to do so; and the desire being, no doubt, to remove real difficulties out of the way, and to recognize reasonable objections, those who might not, perhaps, be ready to agree to the second reading of this Bill now ought not to be made to vote for its absolute rejection, which might be interpreted into a denial that there was any necessity for legislation at all. The question is whether there is to be a Committee on the Bill or a Committee on the whole subject. I cannot but admit, wholly apart from any question of party politics or even of the merits of this immediate subject, that there is the greatest force in the objection of those who say it is a bad and inconvenient practice, with reference simply to the rules of the House of Commons, to affirm Bills on the second reading, with the view of going into Committee to consider provisions which you anticipate will there probably undergo total alteration. It appears to me that the proposal of my right hon. Friend the Home Secretary is the one most convenient to all parties. I trust we shall not be obliged, on the one hand, to appear to resist a proposal so reasonable, or on the other to deny the necessity for legislation, which every speaker has admitted. But in answer to the appeal that has been made, so far as I am concerned, I must say, thinking my right hon. Friend's suggestion the best, it is my intention to abide by it.

MR. HENLEY wished to guard himself and hon. Gentlemen on his side of the House from being supposed to assent to the proposition that a grievance had been proved in this case. He was, however, quite disposed to inquire into the facts, and see whether there was a grievance or not. The facts had been so much controverted by great lawyers on both sides of the House that he was unable to satisfy his mind as to what was really the effect of the decision which was said to have raised all this question. So obscure was this matter that since the House met in February the author of this measure had produced three essentially different versions of his own Bill. The hon. Gentleman had told them he did not want—that, on the contrary, it would be very objectionable — to have Dissenting trustees for a Church of England school. In the second edition of this Bill, however, he had proposed to do that very thing. [MR. DILLWYN dissented.] The hon. Member might shake his head, but it was provided in No. 2 Bill that no person should be deemed incompetent to act as feoffee or trustee of a school by reason of his dissent from the doctrines of the Church. When, therefore, they had three Bills placed before them in the space of four or five months, all differing widely in their terms, and when no two lawyers exactly agreed as to what the grievance was which they had to cure, it was impossible to assent to the second reading of this measure. He trusted that the recommendation of the Home Secretary would be adopted.

MR. DILLWYN, in reply, said the portion of No. 2 Bill which the right hon. Member for Oxfordshire had referred to, applied to the very class of endowed schools now in dispute, and which he denied belonged to the Church of England. In answer to the right hon. Member for Cambridge University, he could only endorse what the right hon. Member for Birmingham had said—namely, that though he should like to see them first, he should be happy to accept such clauses as would prevent Dissenters from having any exceptional or undue preference over Churchmen. As to the suggestion of the Home Secretary, that he should postpone or withdraw the Bill, he could only say that the regular mode was to determine first on what principle they should proceed, and then consider how they were to carry it out. After deciding on the principle he was quite ready to go into Committee; and he thought the Bill, as it now stood, might be susceptible of improvement or amendment. His object was to put Churchmen and Dissenters as nearly as possible on a footing of religious equality. The Secretary of State for the Home Department had said that his Bill was little else than the assertion of a naked principle. That principle had been illustrated by the hon. Seconder of the Amendment who said that so long as the Church of England maintained its present national status a Dissenter was not in fact upon a par of religious equality with a Churchman. He wished so far as it was practicable to diminish that inequality, and he was particularly desirous of testing the opinions of the Government in regard to that principle, in order that he might determine whether or not he could give them his hearty support.

Question put.

The House *divided*:—Ayes 210; Noes 192: Majority 18.

List of the AYES.

Adam, W. G. F. L. P.
Agar-Ellis, hon.
Agnew, Sir A.
Alcock, T.
Angerstein, W.
Ashley, Lord
Ayrton, A. S.
Bagwell, J.
Bailey, C.
Baines, E.
Ball, E.
Baring, rt. hon. Sir F. T.
Baxter, W. E.
Bazley, T.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Berkeley, hon. H. F.
Berkeley, Col. F. W. F.
Bethell, Sir R.
Biggs, J.
Black, A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Bowyer, G.
Brady, J.
Brand, hon. H.
Bright, J.
Briscoe, J. I.
Bristow, A. R.
Brocklehurst, J.
Browne, Lord J. T.
Bruce, H. A.
Buchanan, W.
Buller, J. W.
Butler, C. S.
Butt, I.

Buxton, C.
Caird, J.
Calthorpe, hon. F. H. W. G.
Cavendish, hon. W.
Cayley, E. S.
Clay, J.
Clifford, C. C.
Clifford, Col.
Clinton, Lord R.
Clive, G.
Cobden, R.
Colebrooke, Sir T. E.
Coningham, W.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, F.
Dalglish R.
Davey, R.
Davie, Sir H. R. F.
Davie, Col. F.
Denison, hon. W.
Divett, E.
Dodson, J. G.
Douglas, Sir C.
Dunbar, Sir W.
Duncan, Visct.
Dundas, F.
Dunlop, A. M.
Egerton, E. C.
Ellice, rt. hon. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. C.
Fenwick, H.
Ferguson, Col.
FitzRoy, rt. hon. H.
Foley, J. H.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Foster, W. O.
Fortescue, C. S.
Fox, W. J.
Gaskell, J. M.
Gavin, Major
Gilpin, C.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Gurdon, B.
Hadfield, G.
Handley, J.
Hankey, T.
Hanmer, Sir J.
Hartington, Marq.
Headlam, rt. hon. T. E.
Heneage, G. F.
Henley, Lord
Hodgson, K. D.
Horsman, rt. hon. E.
Hutt, W.
Ingham, R.
Ingram, H.
James, E. J.
Jervoise, Sir J. C.
Johnstone, Sir J.
Keating, Sir H. S.
Kershaw, J.
King, hon. P. J. L.
Kinglake, A. W.
Laing, S.
Langston, J. H.
Langton, W. H. G.
Lawson, W.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Levinge, Sir R.
Lewis, rt. hon. Sir G. C.
Lindsay, W. S.
Locke, John
Lowe, rt. hon. R.
M'Cann, J.
Mackie, J.
Mackinnon, Wm. Alex. (Lymington)
M'Mahon, P.
Martin, P. W.
Martin, J.
Massey, W. N.
Matheson, A.
Mellor, J.
Merry, J.
Mitchell, T. A.
Miller, W.
Mills, A.
Monk, C. J.
Monsell, rt. hon. W.
Morris, D.
Noble, J. W.
Norris, J. T.
North, F.
O'Connell, Capt. D.
Ogilvy, Sir J.
Onslow, G.
Packe, G. H.
Paget, C.
Paxton Sir J.
Pease, H.
Peto, Sir S. M.
Pigott, F.
Pilkington, J.
Pinney, Col.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Pryse, E. L.
Ramsden, Sir J. W.
Ricardo, O.
Ridley, G.
Robartes, T. J. A.
Robertson, D.
Roupell, W.
Russell, Lord J.
Russell, H.
Russell, A.
Russell, F. W.
St. Aubyn, J.
Salt, T.
Schenley, E. W. H.
Scholefield, W.
Scott, Sir W.
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Smith, A.
Somerville, rt. hon. Sir W. M.
Stanley, Lord
Stansfield, J.
Steel, J.
Steuart, A.
Stuart, Lord J.
Sturt, N.
Sullivan, M.
Sykes, Col. W. H.
Talbot, C. R. M.
Taylor, H.
Thornhill, W. P.
Tite, W.
Tollemache, hon. F. J.
Trelawny, Sir J. S.
Vivian, H. H.
Watkins, Col. L.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Whalley, G. H.
Whitbread, S.
White, Col. L.
Wickham, H. W.
Willcox, B. M'G.
Williams, W.
Willoughby, Sir H.
Wilson, rt. hn. J.
Winnington, Sir T. E.
Wise, J. A.
Wood, rt. hon. Sir C.
Wynne, C. G.
Wyvill, M.

TELLERS.
Dillwyn, L. L.
Perry, Sir T. E.

List of the NOES.

Adderley, rt. hon. C. B.
Arbuthnott, hon. Gen.
Astell, J. H.
Baring, H. B.
Barrow, W. H.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Beresford, rt. hon. W.
Blackburn, P.
Booth, Sir R. G.
Botfield, B.
Bovill, W.
Bramston, T. W.
Bridges, Sir B. W.
Bruce, Major C.
Bruen, H.
Buckley, Gen.
Burrell, Sir C. M.
Cairns, Sir H. M'C.
Cartwright, Col.
Churchill, Lord A. S.
Cochrane, A. D. R.W.B.
Codrington, Sir W.
Cole, hon. Col.
Cooper, C. W.
Curzon, Visct.
Dawson, R. P.
Deedes, W.
Dickson, Col.
Du Cane, C.
Duncombe, hon. W. E.
Du Pre, C. G.
Dutton, hon. R. H.
Earle, R. A.
Edwards, Major
Egerton, Sir P. G.
Egerton, hn. A. F.
Egerton, hn. W.
Elmley, Visct.
Elphinstone, Sir J. D.
Emlyn, Visct.
Estcourt, rt. hn. T. H. S.
Euston, Earl of
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Ferguson, Sir R. A.
Forester, rt. hon. Col.
Freeland, H. W.
Galway, Visct.
Gard, R. S.
Garnett, W. J.
George, J.
Gilpin, Col.
Gladstone, Capt.
Gladstone, rt. hon. W.
Goddard, A. L.
Gordon, C. W.
Gore, J. R. O.
Greenall, G.
Greenwood, J.
Gray, Capt.
Griffith, C. D.
Grosvenor, Earl
Hamilton, Lord C.
Hanbury, hon. Capt.
Hardy, G.
Hartopp, E. B.
Hassard, M.
Henley, rt. hon. J. W.
Hennessy, J. P.
Henniker, Lord
Herbert, Col. P.
Hervey, Lord A.
Heygate, Sir F. W.
Hill, Lord E.
Hill, hon. R. C.
Hoare, J.
Holdford, R. S.
Hood, Sir A. A.
Hope, G. W.
Hopwood, J. T.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humberston, P. S.
Hunt, G. W.
Ingestre, Visct.
Jermyn, Earl
Jervis, Capt.
Joliffe, rt. hon. Sir W G. H.
Kekewich, S. T.
Kendall, N.
Kennard, R. W.
Ker, D. S.
King, J. K.
Knatchbull, W. F.
Knightley, R.
Knox, Col.
Knox, hon. Major S.
Leeke, Sir H.
Lefroy, A.

Legh, W. J.
Liddell, hon. H. G.
Lindsay, hon. Col.
Long, R. P.
Long, W.
Longfield, R.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. F.
Macaulay, K.
Mainwaring, T.
Manners, rt. hn. Lord J.
Miles, Sir W.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Moody, C. A.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Mundy, W.
Newark, Visct.
Newdegate, C. N.
Newport, Visct.
Nicol, W.
Noel, hon. G. J.
North, Col.
Overend, W.
Packe, C. W.
Pakenham, Col.
Palk, L.
Papillon, P. O.
Parker, Major W.
Patten, Col. W.
Paull, H.
Peel, rt. hon. Gen.
Pennant, hon. Col.
Pevensey, Visct.
Potts, G.
Powys, L. P.
Pritchard, J.
Quinn, P.
Ridley, Sir M. W.
Rogers, J. J.
Rolt, J.
Salt, T.
Selwyn, C. J.
Seymer, H. K.
Sibthorp, Major
Smith, Sir F.
Smith, A.
Smollett, P. B.
Somerset, Col.
Spooner, R.
Stanhope, J. B.
Stuart, Major W.
Sturt, H. G.
Stracey, Sir H.
Talbot, hon. W. C.
Taylor, Col.
Thynne, Lord E.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Upton, hon. Gen.
Valletort, Visct.
Vance, J.
Vandeleur, Col.
Vansittart, W.
Verner, Sir W.
Vernon, L. V.
Walcott, Admiral
Walpole, rt. hon. S. H.
Walter, J.
Watlington, J. W. P.
Way, A. E.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Col.
Wyndham, Gen.
Wyndham, hon. H.
Wynn, Sir W. W.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.
Northcote, Sir S.
Puller, C. W. G.

Main Question put, and *agreed to.*

Bill read 2°.

LORD JOHN MANNERS inquired what course the Government intended to pursue in respect to the future stages of this Bill?

SIR GEORGE LEWIS said, the course he proposed to take was in entire accordance with the suggestion he had already made. Instead of the Bill being submitted to a Committee of the whole House, he thought it ought to be sent to a Select Committee. He therefore now begged to move, that it be referred to a Select Committee accordingly.

Motion made and Question proposed, "That the Bill be committed to a Select Committee."

MR. DILLWYN, before he assented to that proposal, wished to know what was to be the composition of the Committee, whether it was to inquire and take evidence' or merely to discuss the facts already ascertained; what alterations the Government wished to make in the provisions, and whether they intended to give every facility for the passing of the measure this Session, or merely desired to defeat it? The Bill was a very short one; it might very well be discussed in the whole House; and he was ready to adopt everything that would make it a good and practical measure. The Motion for referring it to a Select Committee ought to be postponed till to-morrow, in order that he might obtain assurances from the Government on the points he had named.

SIR GEORGE LEWIS had not the least objection to the adjournment of the debate till to-morrow if such were the wish of the House; but it was necessary that the Committee should be nominated, and when the Motion for that purpose was made, every opportunity would be given to the hon. Gentleman to obtain the explanation he desired. An adjournment was, therefore, unnecessary. It was, of course, impossible now to state what clauses the Government, or any other Member who might sit on the Committee, would wish to propose; but it was well known that it was in the power of a Select Committee entirely to remodel any Bill that was referred to them—[*a laugh*]. Hon. Gentlemen might be amused at the fact, but he had simply stated what was one of the Orders of the House.

MR. CONINGHAM trusted that the hon. Member for Swansea would adhere to a postponement of this question until to-morrow or some other occasion. The principle of the Bill was of the utmost importance, and one on which the Liberal party ought to enter into no compromise. The course taken by the Government on this matter would show whether their policy was likely to entitle them to support.

MR. HORSMAN said, the Motion of the Home Secretary was rather irregular, and had evidently taken the hon. Member for Swansea by surprise. The usual course was for the hon. Member who had charge of a Bill to fix the day for going into Committee, and then it was competent for any hon. Gentleman to move as an Amendment that there should be a reference to a Select Committee. Nobody had been prepared for this sudden proposal, which, moreover, would have the effect of taking the Bill entirely out of the hands of the hon. Gentleman who brought it in. The Motion should therefore now be withdrawn, and by the time the day for going into Committee had been fixed by the hon. Member for Swansea the Government might have made up their minds as to the course they were to pursue. If they then persisted in wishing for a Select Committee they might move an Amendment accordingly.

Mr. BOUVERIE thought the suggestion of the right hon. Member for Stroud would delay the progress of the Bill, while that of the Home Secretary would facilitate it. If the hon. Member for Swansea fixed the next stage of the Bill, it could not come on for a fortnight or so, when they would have another debate on the question of referring the measure to a Select Committee.

Mr. SPEAKER asked whether the hon. Member for Swansea had moved the adjournment of the debate?

Mr. DILLWYN said he begged to move that the House go into Committee on the Bill to-morrow.

Mr. SPEAKER said that the hon. Member, having already spoken, was not then entitled to make a Motion; but if by any misapprehension on his part, he had not heard the hon. Gentleman move, he was sure he was acting in accordance with the wishes of the House in giving him an opportunity of moving the adjournment.

Mr. HADFIELD hoped the hon. Member for Swansea would not abandon the charge of the Bill. He begged to move that the House go into Committee on the Bill to-morrow.

Mr. SPEAKER: Does the hon. Member move the adjournment?

Mr. HADFIELD: Yes.

Mr. J. HARDY gave notice, that on the Motion for referring the Bill to a Select Committee, he would move a general Resolution, referring the whole subject to a Select Committee with a view to legislation on it.

Debate *adjourned* till *to-morrow.*

APPEAL IN CRIMINAL CASES BILL.

SECOND READING.

Order for Second Reading read.

Mr. M'MAHON, in moving the second reading of this Bill, said, the measure was exactly identical with one that had been read a second time last year, with this exception, that he had omitted from the present Bill all the clauses which had been made grounds of objection on the previous occasion. He believed the principle of the measure was approved by the country, and after all that had passed, he was certainly surprised to learn that the Government were now about to oppose it; and as he had only forty minutes left before the adjournment, and could not hope to gain anything by postponing the second reading, he would take the division at once. It might be said this measure was unnecessary, because the Government intended to consolidate the whole of the criminal law. The consolidation of the criminal law had been talked of now for nearly thirty years and yet nothing had been done. The main object of this Bill was to secure to a person who was prosecuted for an offence involving his life, his liberty, and his property, the same right of having the sentence pronounced against him reviewed, which he now enjoyed if he were sued civilly for the sum of sixpence. In the present state of the law, if a person charged with a criminal offence had not the good luck to move the indictment before trial into the Queen's Bench, he was at the mercy of the first Judge and jury before whom he might be brought. His only remedy was an appeal to the Home-office; but there was a manifest impropriety in sending a man to beg a pardon from a Secretary of State when he ought to get redress in open court. What his Bill proposed was to empower the Court of Queen's Bench to grant a new trial after a verdict as well as before it, and he trusted that so moderate and beneficial a measure would receive the sanction of the House. The principle had been approved of by the Criminal Law Commission, and in 1844 Sir Fitzroy Kelly introduced a similar Bill. The hon. and learned Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

The SOLICITOR GENERAL said, that the question involved in the second reading of this Bill was not simply whether, under proper guards, an appeal upon questions of fact should be allowed, but whether the procedure in criminal cases should be assimilated *in omnibus* to that in civil causes, and such a proposition he felt bound to oppose. At present the criminal law was administered with a careful regard to the interests of the accused; but he was afraid that the reverse would be the case if the law were altered as proposed. The effect of permitting prisoners to appeal upon such grounds as the alleged inadmissibility of evidence or misdirection on the part of the Judge, would be to impede the execution of sentences; for if a rich man were convicted he could carry the case from Court to Court, (and by the Bill a rule *nisi* was to operate as a stay of execution), whilst the poor man was practically excluded from its operation. He maintained that adequate means existed at present for correcting erroneous verdicts, and that no failure of justice could be proved under the law as it now stood which would warrant such a change as that proposed. To allow an appeal in cases where the presiding Judge thought the verdict was against the evidence or otherwise unsatisfactory, would at least be an intelligible proposition; but nothing could be more injurious to the due administration of criminal justice, than to permit a prisoner to move the Court of Queen's Bench for a new trial upon any ground whatever, however trivial or technical. If such a right were granted *ex debito justitiæ* to defendants it could not fairly be refused to the Crown, and where, then, would be that fundamental principle in English jurisprudence, that a person once acquitted by the verdict of twelve men could not be tried again for the same offence? For these and other reasons, which at that hour it was impossible to advert to, he felt bound to oppose the second reading of this Bill.

It being now a Quarter to Six o'clock, Mr. **Bowyer** moved that the debate be adjourned.

Debate *adjourned* till *To-morrow.*

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 7, 1859.

Minutes.] *Took the Oath.*—The Earl of Lindsey.
Public Bills.—1ª Jury Trial (Scotland) Act Amendment.

COUNTY COURT COMMITMENTS.

RETURNS ORDERED.

Lord BROUGHAM *presented* a Petition of the Mayor, Magistrates, and other Inhabitants of Llanidloes, praying for maintaining the power of Imprisonment in County Courts. The noble and learned Lord said he would take the opportunity of referring to the great costs to which suitors were still put in suing for small debts, as well as to the number, diversity, and irregularity of the commitments from these Courts. It appeared from a Return which he had obtained, that in the year 1857, the number of commitments was upwards of 10,000. Of these a very large proportion—between 7,000 and 8,000—were for non-attendance to the summons, not for non-payment or refusal to pay. But he wished to call the attention of the House to the remarkable diversity in the amount of commitments by different Judges. He did not mean to blame the Judges, but it was evident that they had widely different views as to the exigency of the case which would justify a commitment, and it was highly desirable that some inquiry should be made into the causes of this difference. In one County Court there had been no fewer than 750 commitments in the year, and in another only 26; though it was true that the first-mentioned Court had tried 20,000 cases, and the other a much smaller number; but the proportion of commitments to actions tried in the former case was 1 in 26, and in the other, 1 in 230. He rejoiced to find that the County Courts were so much used, as he believed they saved an enormous amount of delay and expense to the poor, but he thought it desirable that there should be an inquiry into the practice with regard to commitments.

Lord CHELMSFORD said, that his attention was called to this subject while he was Lord Chancellor, and recognizing its importance, he requested the learned Judges of the County Courts to report to him concerning these commitments. He believed that such a report had been prepared, but he was not aware whether it had yet been received by his noble and learned Friend on the woolsack.

The LORD CHANCELLOR agreed in thinking the subject a most important one, especially since imprisonment for debt was now virtually at an end, except so far as regarded the powers of the County Courts. The effect of going further in that direction might be to deter tradesmen from giving credit to the poor.

Lord BROUGHAM thought it would be much better if they did not give credit so freely to the labouring classes. One of the most sensible men he ever knew—the late Lord Althorp—was of opinion that, below a certain amount there ought to be no remedy whatever against a debtor, and then credit would not be given. This might be going too far; but the facilities of obtaining credit produced great injur and no little injustice.

"Return of the Number of Plaints entered in, in 1858, with the Sums for which entered; Number tried; Number tried above £20 and under £50; Amount of Money recovered by Judgments; and Amount of Money paid into Court," was ordered to be laid before the House."

[On the following day this Order was discharged, and an Address for the same *agreed to*].

AFFAIRS OF ITALY.—LORD STRATFORD DE REDCLIFFE'S MOTION.

THE EARL OF DERBY: A few nights ago a noble Viscount, not now in his place, (Viscount Stratford de Redcliffe,) gave notice of his intention to bring forward a Motion on the subject of the foreign policy of this country with regard to the affairs of Italy. He did me the honour of asking me across the table whether I and those with whom I acted had any desire to have the Motion postponed; but, after listening attentively to the terms of the Motion, I immediately answered that we had no wish to postpone the consideration of it, and that the Resolution, as it appeared to us, was one to which we could have no objection. Of course, that answer was made on the supposition that the Motion was made with the concurrence, and would receive the support of Her Majesty's Government; because it is quite clear that we should be placed in a very different position if, when the Motion was made, the Government were to move an Amendment, the terms of which might appear to us to be objectionable. I would therefore venture to ask the noble Earl the President of the Council, whether that Notice was given with the concurrence of the Government, and whether it will meet with their support. I would take the opportunity of suggesting that there is one expression in the second paragraph of the Resolution which does not quite correctly express the noble Viscount's meaning. He proposes to signify the confidence of the House in Her Majesty's determination to maintain inviolate, the "neutrality, as therein declared, of Her Majesty's dominions;" whereas what the noble Lord means to convey is, that the general principle of neutrality between the parties engaged in the contest, as laid down in the papers presented to Parliament, should be maintained inviolate. The alteration is merely a verbal one, and if it is made, I shall have no other objection to offer to the Motion.

EARL GRANVILLE replied, that the noble Lord (Viscount Stratford de Redcliffe) was not now in his place, but if he were, he would certainly be ready to repeat, that he gave notice of that Motion without having had any previous communication at all with the Government on the subject; and certainly, if he (Earl Granville) had been consulted as to the desirableness of bringing forward any such Motion, he should have replied that he did not see the particular utility of it. Of course, he must reserve till to-morrow evening to state his opinion as to the desirableness of agreeing to the Motion. But it would be convenient to the noble Earl that he should know what course the Government intended to take, he (Earl Granville) would at once say that he did not himself see anything in that Motion to which he had the slightest objection, or which would lead him to oppose it, far less to give the House the trouble of dividing on it.

COURT OF DIVORCE.—STATE OF BUSINESS.—OBSERVATIONS.

LORD CHELMSFORD said, that in rising to call the attention of their Lordships to the state of the Court of Divorce, he did so with the view of their considering the desirableness of introducing some alteration in the law with respect to it. Perhaps he ought to apologise for opening again a subject which had been discussed so recently as Monday night; but he considered it one of such great importance that he might fairly hope their Lordships would indulge him with a few moments' attention. Serious doubts were entertained whether the establishment of the Divorce Court had been calculated to strengthen public opinion as to the sanctity of the marriage tie, to advance the security of the married life, and to promote the happiness and morality of society. These, however, were considerations of the past. The Divorce Court had now taken its place as one of the permanent judicial institutions of the country, and all their thoughts and efforts ought, in his judgment, to be directed to improving the tribunal, and making it answer the ends for which it was established. He might be permitted to say that a mistake had been made in the original construction of the Court. Whether it was owing to a regard for economy, or from an expectation that the business would be of such a character and extent that it would hardly be proper to establish an independent Court, for some reason the Divorce Court was unfortunately made dependent for a supply of Judges to constitute a Full Court upon other Courts.

By the provisions of the Act no sentence for a divorce or judicial separation could take place except before the Full Court, consisting of three Judges, one always being the Judge Ordinary, and the others to be selected from the Lord Chancellor, the three Chiefs of the superior Courts of Law, and the senior puisne Judges in those three Courts. It appeared to him that very serious objections to that system had been manifested in the course of its working. In the first place the having recourse to occasional Judges was calculated to impair the dignity of any Court; and therefore it would be infinitely better to establish the Court upon a permanent footing, with Judges who should constitute a part of the Court—Judges of such dignity as to give a high character to the tribunal. In the next place, the time of these Judges was so fully occupied in their own Courts, that it was extremely difficult to procure their attendance for the Divorce Court, and the consequence was a very great delay and inconvenience to the suitors. There were certain cases where the parties desired that some of the facts should be decided by a jury, and there were other cases which were determined entirely by the Full Court. Under these circumstances causes could not be taken in the order in which they stood on the list. At the head of the list there might be a case requiring the attention of the Full Court, followed by another requiring the consideration of a jury. Some cases must, therefore, be continually postponed from the difficulty of obtaining the attendance of a Full Court. The Judge Ordinary could not take a case and summon a jury and decide it, and then have his Full Court for the next case. He must make his arrangements and take the jury cases at a particular time, and appoint the cases for the Full Court, when he could obtain the attendance of the Judges. Again, in many instances the Judges of the Full Court did not hear the whole of the case which they were ultimately to decide. The Judge Ordinary alone presided at the trial by jury; but such trials were merely directed to a portion of the case upon which the ultimate decision depended —the single fact of adultery, for instance. When the Full Court was assembled to determine the case, the Judge Ordinary read the evidence taken before the jury in order that they might have the full circumstances before them; but evidence merely read from notes made but a very slight impression on the mind and was not to be compared with the advantages of hearing evidence *vivâ voce* and seeing the witnesses. All these circumstances had induced him (Lord Chelmsford) to think that it was a great mistake not to have established the Divorce Court originally on a permanent footing, constituting it a Court of considerable dignity and importance, and with Judges with adequate remuneration, making it in fact one of the Superior Courts of the country. The Judge Ordinary was no doubt the primary Judge presiding over that Court; he it was who was imbued with all the principles upon which the practice of the Court was administered—and yet, whenever the Full Court assembled, the Judge Ordinary became almost a cypher — he was the inferior Judge in his own Court. It was quite impossible to do justice to this subject, or even to advert to it for one moment, without speaking of the admirable manner in which the business of the Court had been conducted by his right hon. and learned Friend Sir Cresswell Cresswell. He believed there never was a Court which was launched on its course for the first time under more favourable auspices. It was impossible to over-estimate the indefatigable activity and consummate ability with which his right hon. Friend had conducted the business. Upon his attention being first attracted to this subject, he communicated with Sir Cresswell Cresswell to ascertain what was the state of the business of the Court, and what was the probable amount of time likely to be required in order to transact the business. His right hon. Friend was good enough to send him a Return of the actual state of the business in the Court on the 27th of last month. It appeared that the number of petitions for dissolution of marriage now on the file was 275, and the number of them now ready for trial 180. The number of judicial separations on the file was seventy-seven; and the number ready for trial five. The number of cases of nullity of marriage on the file was eight; and those now ready for trial two; while the number of cases for restitution of conjugal rights on the file was fourteen. His right hon. Friend thought at that time that ninety days in the year would be sufficient for the transaction of the whole of the business of the Court; but he (Lord Chelmsford) had been favoured with another communication by his noble and learned Friend opposite (the Lord Chancellor) containing an amended estimate, from which it appeared the learned Judge ordinary calculated there would be about sixty days required for the trial of cases of divorce, and an equal number of days for the cases of judicial separation, and probably twenty days for motions which the Judge Ordinary had to dispose of. That would make about 140 working days in the year. When his right hon. Friend first communicated to him the time it would be necessary to sit in the course of the year, while he thought it very desirable to place the Court on an independent and dignified footing, he felt that the amount of business would hardly be sufficient to warrant the appointment of Judges who were to be confined merely to the duty of attendance in that Court. It occurred to him, therefore, that he might suggest some other employment to the Judges during the time that their attendance would not be required in the Divorce Court. In January last he communicated a scheme to his noble Friend at the head of the Government and his colleagues; but no opinion whatever had been come to upon the subject, which was therefore quite open to their consideration. It did occur to him that when the two permanent Judges who might be appointed as assessors to Sir Cresswell Cresswell should not be required in the Divorce Court they—being made members of the Privy Council—might form a part of the Appeal Court of the Judicial Committee. The state of that Appeal Court, which was one of the greatest importance, required a little strengthening, for there were now only two permanent Judges who having no other business to attend to could attend regularly, namely, Sir Edward Ryan and Sir John Coleridge. Sir John Patteson could not be expected to attend constantly, and the other Judges had their own duties to look after. For instance, Sir Cresswell Cresswell and Sir Stephen Lushington had their separate courts to attend. It was true that a noble Lord who sat behind him (Lord Kingsdown) gave his great services by attending in that Court, and the public were much benefited by it; but it would be well if the Court were regularly supplied with Judges who did not neglect other duties. It appeared to him that his noble and learned Friend did not propose to make permanent Judges, but simply to extend the choice to all the common-law Judges who could not now attend the Court.

Lord BROUGHAM: I proposed that course only as a temporary measure.

Lord CHELMSFORD assumed that it was to be only temporary; but he did not like these experiments in matters relating to the administration of justice, and such a course would leave open all the objections which now existed. There was a suggestion thrown out in the course of discussion the other evening by his noble and learned Friend (Lord Brougham) which appeared to deserve their Lordships' attention, namely, the appointment of some person to watch the proceedings in divorce cases, in order that he might prevent all collusion between parties in cases of that description; but he believed that such an appointment would not prevent collusion taking place if the parties were determined to practise it. His noble and learned Friend had referred without sufficient ground to the presence of the Attorney General being required in all cases where an extension of time was asked in patent cases. The attendance, however, of the Attorney General in such cases could not be considered as analogous to his attendance in divorce cases; for the public, though they were interested in the general cause of morality, were not interested in each particular divorce case; whereas a patent being a monopoly, the public were interested in every case in an application for an extension of the term, and it was the duty of the Attorney General to see that it was not granted except upon sufficient ground. He must, however, say that in his experience the attendance of the Attorney General on those occasions was not of the most satisfactory description. All the instruction which the Attorney General received was a copy of the petition, and he had to gather as the case proceeded any objection which might present itself, if it were not a very beneficial invention, or the patentees had been sufficiently remunerated. He was quite satisfied that the appointment of an official, with extensive powers to compel the attendance of the parties and to summon witnesses, would not prevent improper motives dictating divorce proceedings. There was another point to which he wished to advert, namely, the views which his noble and learned Friend (Lord Brougham) had taken with regard to the form of procedure in the Divorce Court. His noble and learned Friend seemed to be of opinion that the simple form of petition now adopted might be varied and extended so as to prevent collusion. Now, a petition for divorce or judicial separation set forth the material facts in a very simple manner, and there was an affidavit of the party verifying the petition. He understood his noble and learned Friend to suggest that the petition should be extended so as to give in detail the history of the whole married life of the parties, including the knowledge of the paramour. He was not aware that that would have any effect in preventing or exposing collusion, because there was no occasion to put in any answer, and the details might just as well be framed collusively as not. But, supposing such a form of petition should be adopted, each statement in it might be made the subject of a separate and distinct issue, and the consequence would be that they would have all the multifarious and voluminous proceedings which were the reproach of the ecclesiastical courts. He ought, perhaps, to apologize for trespassing so long upon their Lordships, but there was another point to which he wished to attract the attention of his noble and learned Friend on the woolsack. It might be in the recollection of their Lordships that when he had the honour of sitting there, his noble and learned Friend asked him whether it was his intention to extend the Divorce Court to Ireland, and when he stated that it was not his intention to introduce a measure of that kind, his noble and learned Friend expressed in very strong and earnest terms his deep regret that such was the answer which he had received. His noble and learned Friend, having attained the object of his highest ambition, was now in a situation in which he could carry out the desire of his heart, and, inasmuch as he took it for granted that his noble and learned Friend was sincere in the regret which he expressed, he begged to ask him whether, among the amendments and improvements of the Divorce Court, it was contemplated to extend the law to Ireland?

THE LORD CHANCELLOR said, that in answer to the question of his noble and learned Friend, he would state that he held in his hand the heads of a Bill which he should have the honour of laying on the table, and that Bill was confined to England. He hoped yet to have the honour of introducing a Bill establishing a Divorce Court in Ireland; but he would rather proceed experimentally in England first, before he proposed to institute a similar tribunal in the sister island. If it had not been for the question which had been so pointedly put to him, he should not have troubled their Lordships with any observations, because he had already stated all that was essential before introducing the Bill, and the discussion of the course of procedure, whether the petition ought to be lengthened or curtailed, and of many other points, would come in due course when the Bill passed through its several stages. He entirely differed, however, from his noble and learned Friend with regard to the course which Parliament ought to have taken when the Divorce Court was established. He thought it would have been most rash, indiscreet, and mischievous at once to have established an independent and permanent body of Judges before knowing what amount of business would be brought before the Court. It was much better to proceed experimentally, and he was sincerely of opinion that they had not yet arrived at the time when they could permanently constitute the Court with exclusive Judges. There had been a great amount of business, but that had arisen from there having existed no such tribunal before, and it would be wrong to appoint permanent Judges before they knew whether there would be sufficient business to employ them during the course of the judicial year. His noble and learned Friend said,—"Send them to the Privy Council." He believed that the Judicial Committee of the Privy Council never was more effective. It wanted no supply of Judges, and to add two or three permanent Judges, with the rank of Privy Councillors, would be so improper that he should feel bound to give it his strongest opposition. Considering the assistance contributed by his noble and learned Friend opposite (Lord Kingsdown), who was still able to be the great polar star of the Judicial Committee, such an addition was most unnecessary.

LORD CRANWORTH said, that he did not think his noble and learned Friend (Lord Chelmsford) need feel any regret that he had brought the subject under the attention of their Lordships, because the more it was considered and discussed, the more the apparent defects of the Court could be discussed and remedied. The very circumstance that the business of the Divorce Court was increasing beyond what was originally anticipated, proved only that the want of it was severely felt throughout the country by a class of persons who, but for its institution, would have no redress for an intolerable grievance. For his own part, he did not think he could be charged with having taken an impolitic course in not having, when he introduced the Bill under the operation of which the

Divorce Court was established, provided for the discharge of the business which came before it a more enlarged judicial strength, inasmuch as, it was impossible to predict what the extent of that business might be, and very easy to add to the number of Judges if such a proceeding should be deemed expedient; while it would be found by no means quite so easy to dispense with the services of any person who had once been appointed to office in the Court. Whether or not it might ultimately become necessary to add to the permanent judicial staff of the Court was a question with respect to which there were, he concurred with his noble and learned Friend on the woolsack in thinking, no adequate materials for forming a sound judgment; and the point was one, he might add, on which no one was in a better position to pronounce what was likely to be a correct opinion than the learned Judge who at present presided over the Court with such distinguished ability. He might, before he resumed his seat, be permitted to suggest to the noble and learned Lord on the woolsack the adoption of a course of procedure, by having recourse to which the occurrence of that collusion of which so much had been said might be, if not altogether prevented, at all events rendered more difficult. The course of procedure to which he alluded was one which was very well known in our courts of justice, and it was this—that the decree originally pronounced in a suit should, in legal phraseology, be a decree *nisi*—that was to say, a decree which should be effectual, unless after the lapse of a certain time—six months, for instance—cause should be shown to the Court why the contrary should be the case. If such a decree were granted in the first instance, and a rule of court were established providing for its publication in the newspapers, and for otherwise giving it publicity, the probability was that it would be brought under the notice of all those persons who were cognizant of the circumstances of the matter in dispute. If, moreover, notice were issued to the effect that any person who thought proper to act upon the information furnished by the decree might, if he chose, communicate to an officer of the Court any circumstances connected with the suit which might have come to his knowledge, collusion would by that means be rendered more difficult, while the course taken to secure that end would be much less open to objection than that preliminary inquiry which had been recommended. He might also suggest that the judicial strength of the Court might be increased by enabling the Judge Ordinary to grant divorces *a vinculo* without being bound to call upon the other Judges to assist him in forming a Full Court. He was, however, of opinion, that it would be better to refer the whole matter to a Select Committee before any permanent legislation was adopted with respect to it.

Lord BROUGHAM said, it was a mistake to suppose that he had advocated the institution of a preliminary inquiry under the auspices of the Attorney General. What he had said on the subject was that it was desirable that the Attorney General should, as far as it was feasible, attend in Court and watch the proceedings, and so gather from the various circumstances which must there come under his knowledge that information which would enable him to judge whether collusion had or had not taken place. Their Lordships were well aware that suits for divorce had more than once been stopped in that House simply owing to the fact that one Peer had heard in the course of conversation from another certain details which had led to the conclusion that the suit was one which ought not to be allowed to proceed.

Lord REDESDALE said, he adhered to the opinion he had already more than once expressed with regard to the policy of the present law. One of the advantages which was proposed by the constitution of the Court was that this House should be relieved from the duty of hearing these unpleasant cases. But that, unfortunately, had not been the result; for their Lordships had this year been obliged to hear one case from India, and were still open to try future cases from that country, from the Colonies, and from Ireland. Now, he did not see why the newly constituted Court should not take cognizance of all these cases.

The LORD CHANCELLOR said, it had been decided that any subject of the Queen domiciled in England might sue in the new Court for a divorce, though the marriage might have been solemnized and the adultery committed in a foreign country. The Court had not been called on to deal with any Indian case. He was not aware whether any objection had been made to the introduction of a Bill into that House to dissolve a marriage, but it was in their Lordships' discretion to refer such a case to the Divorce Court.

Lord REDESDALE was glad to hear

that that was the case, but he regretted to say that it was not so with regard to parties who resided in Ireland, for their Lordships might still have these cases brought before them. When the Bill of last Session was passing through this House he felt it to be his duty to propose a clause enabling parties from Ireland to apply for advice in the new Court, and that clause met with the approval of the Lord Chancellor, and also of the noble and learned Lord who had charge of the Bill; but it was struck out in the House of Commons, in consequence of an engagement having been entered into that the Amendment should not be pressed. He trusted that in the Bill which the noble and learned Lord on the woolsack proposed to introduce power would be given to allow parties from Ireland who sued for a divorce to go to the new Court instead of coming to their Lordships' House.

THE EARL OF WICKLOW remembered that the clause referred to by his noble Friend had been discussed, and had met the approbation of their Lordships last Session, and up to that moment he had been under the impression it had passed the other House, and was now the law of the land. He thought it was most desirable that a measure of this kind should be extended to Ireland, and he therefore trusted his noble and learned Friend would take the matter into his consideration in any measure he intended to introduce on the subject. At the same time he thought it would be far better that the Irish public should be allowed to come into the English Divorce Court than that there should be a separate Court erected for themselves in Ireland.

THE LORD CHANCELLOR said, if he were to introduce any measure on this subject he would be most happy to adopt the suggestion of the noble Earl; and so far as he was concerned he would be most happy to throw open the doors of the Court to all persons domiciled in the United Kingdom.

CHURCH RATES.

On the Motion of the Duke of MARLBOROUGH, a Select Committee was appointed to consider the subject of Church Rates.

MILITIA (IRELAND).—RIFLE CORPS.

THE MARQUESS OF LONDONDERRY asked whether it is the intention of Her Majesty's Government to embody any portion of the militia of Ireland, in the event of there being no establishment of volunteer rifle corps in that country. He would not have put the Question that he did last week, had he thought it would have been inconvenient to the Government, or that it would have provoked unnecessary discussion. It would appear from what had passed in "another place," that the Government had made up their minds not to establish rifle corps in Ireland—at least, not for the present—and for his own part he was glad that determination had been come to, in view of the unpleasant circumstances that had taken place in the north of Ireland last year. It had been thought that this country should not only assist in the formation of rifle corps, but that some degree of martial ardour should be infused among the people. He was Lord Lieutenant of an extensive county (Downshire), and he was not aware that there was any military force in it beyond two militia regiments, one of which was disembodied, and no large quantity of troops were obtainable unless they went to Belfast. Beyond this they had no protection upon that part of the coast. He was not afraid of any attack from the French, but he was of opinion that the Government should put that part of the country in the same position as they did others. He was not apprehensive of danger, but any casual descent upon our coasts from Russia, Denmark, or any other northern Power, would be attended with the greatest disaster, and he was confident that he might rely on the loyalty and patriotism of the Irish people. Considerations not only of a political, but of an economical nature, should induce the Government to put Ireland on the same defensive footing as England.

THE DUKE OF CLEVELAND considered that if any additional regiments of militia were to be embodied, England had quite as strong a claim as Ireland. He did not wish to detract from the merits of the proposed rifle corps, but it was absurd to suppose that they could be in any way regarded as a substitute for a militia or a regular military force. He had no objection to an increase in the embodied militia of Ireland, but he contended that the same measure ought to be extended to this country. A Commission had been appointed to inquire into the militia system generally, and he thought it highly desirable that their Report should be presented as early as possible. At present that system was open to objection in many respects, and he instanced as one defect the practice of paying a bounty to militiamen on joining the regular army equal to that which ordinary volunteers received on enlistment, in addition to the bounty to which they were entitled on entering the militia. He was not one of those who anticipated invasion or a French war — on the contrary, he looked upon both the one and the other as most improbable; but that was no reason why we should not arm in every possible way to make the defences of the country as perfect as possible.

VISCOUNT HARDINGE suggested that until the Report of the Militia Commission was ready and before their Lordships, it was superfluous to discuss the question on its merits, and he hoped that when they did there would be some speedy amendments in the matter, and that Her Majesty's Government would take some steps to improve the existing system.

THE EARL OF BANDON called attention to the defenceless state of the south-west coast of Ireland, and which contained two of the finest counties in that kingdom. One was only partially defended, while the other was wholly unprotected. In the event of invasion twenty-four miles of country along Bantry Bay were defenceless, and no troops could be had unless from the small town of Bandon. It was here in 1797 that the French troops landed, although attention was called the year before by Mr. Pitt to the defenceless state of the country, upon which occasion Mr. Sheridan and Mr. Fox threw cold water on the question; yet at the present moment Bantry Bay was as unprotected as it was in 1797. He rejoiced that Her Majesty's Government were not going to attempt so dangerous an experiment as the establishment of rifle corps in Ireland.

The EARL OF RIPON assured the noble Marquess that it was from no want of courtesy on his part that he had not replied to the Question when put on a previous occasion, but simply because he was desirous of being in a position to give a complete and satisfactory answer to the inquiry. The noble Marquess had been rightly informed that it was not at present the intention of Her Majesty's Government to extend the organization of rifle corps to Ireland, and chiefly for two reasons. In the first place, because no application had been made from that country in reference to these rifle corps, and certainly noble Lords from the sister island had not spoken as in any sense desiring to have these corps established there; and secondly, because the Act under which they would be established in Ireland wa different from the Act under which they had been established in this country, the one being the 42nd *Geo.* III., c. 68, and the other the 44th *Geo.* III., c. 54. The difference between the two Acts was material, and before anything was done for Ireland it was necessary that both Acts should receive the consideration of the Government. With regard to the more immediate question of the noble Marquess, he had to state that it was not the intention of Her Majesty's Government at present to embody any fresh regiments of Irish militia. It was originally the intention of Her Majesty's late Government, he believed, at the beginning of the year, that regiments of militia, both in England and Ireland, which were at present embodied, should be disembodied as the regiments of the line coming from India arrived in this country. That intention had been abandoned by the late Government, and Her Majesty's present Government intended to pursue in the matter precisely the course their predecessors had proposed to take. The noble Marquess would recollect that, besides the differences between the rifle corps and the militia alluded to by the noble Duke on the cross benches, there was another very material difference —namely, that rifle corps were little expense to the country, but the militia could not be established and maintained without applying to Parliament for a considerable sum of money. Her Majesty's Government were not of opinion that the circumstances of the country required that they should embody more regiments of Irish militia, and they had determined not to do so; but he could assure their Lordships that that decision had not been come to from any want of attention on the part of the Government to the military requirements of Ireland. Her Majesty's Government had gone fully into the question of the national defences, and it was their desire to put the country into the most efficient and satisfactory condition of defence; and the defence of Ireland would be considered by Her Majesty's Government quite as strongly and quite as fully as that of this country or of any other portions of Her Majesty's dominions. With reference to the militia question he would prefer not entering into it at present, because as had been stated by the noble Viscount (Viscount Hardinge) the Report of the Militia Commission had been sent in, and would in a short time be presented to Parliament, when the question might be discussed with the greatest advantage. No doubt there were many matters connected with the present state of the militia that required the serious attention of the Government, but they had better be deferred until the Report was presented. As regarded the question of recruiting, there was a Commission appointed by the Government which was still sitting. In conclusion, he could assure the noble Earl opposite that the defences of Cork already had the serious attention of Her Majesty's Government, and that they fully recognized the importance of that port in any general system of national defence.

The Marquess of CLANRICARDE thought, that as far as the safety and tranquillity of the country were concerned, it was as important to extend the rifle corps and other movements to Ireland as to all parts of England:—but he thought the existing alarm a little outran discretion and common sense. He hoped the attention of the Government would be at once directed to the subject of the militia, without waiting for the Report which was about to be presented to Parliament, for it would be disgraceful to continue the militia under the present system, or rather want of system. That force would shortly be called out for twenty-one days; but the money to be spent in that way might as well be thrown into the sea, as far as any benefit to the militia was concerned, for the efficiency of that body would not be thereby increased in any perceptible degree. His opinion was that the militia should not be considered as a body which acted as a feeder to the regular army, but as being itself a reserve army.

In answer to the Earl of Donoughmore,

The Earl of RIPON explained, that when he said no fresh militia regiments were intended to be embodied in Ireland, he should have added that it was possible that some of those regiments which had been embodied some time might be disembodied and others substituted; but there would be no increase in the number of regiments now embodied.

House adjourned at a quarter-past Seven o'clock, till To-morrow, Half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 7, 1859.

Minutes.] New Members Sworn.—For Ennis, Right hon. John David FitzGerald; for Kerry, Right hon. Viscount Castlerosse; for Marylebone, Lord Fermoy; for Lichfield, Lord Alfred Henry Paget.

Public Bills.—1° Metropolis Gas Regulation; Metropolis Carriage Ways; Highways.

2° Adulteration of Food, &c., Prevention; Public Health; Clerk of the Council; Admiralty Court.

RED SEA AND INDIAN TELEGRAPH COMPANY (No. 2) BILL.

LORDS' AMENDMENTS CONSIDERED.

Sir HENRY WILLOUGHBY said, he would beg leave to call the attention of the House to the Amendments which had come down from the other House, and which were most important. This was treated as an unopposed private Bill, and yet it involved by guarantee a charge on the funds of the country to the extent of some £36,000 a year. What constitutional checks were there upon the passing of such a Bill? It never went through the usual stages, and had not undergone the consideration of a Committee of the Whole House, as public Bills did. He wished to ask whether such a Bill as this, involving an expenditure of the public money, ought not to have been submitted to a Committee of the Whole House?

Mr. SPEAKER said, that in so far as the guarantee of money was concerned it had passed through a Committee of the Whole House, and as the Bill was unopposed the proceedings had been in conformity with usage.

Mr. MASSEY said, the fact was that the Bill related to a commercial speculation in which the public were at the same time largely interested. Being unopposed, it went through the usual revision in Committee by the Chairman of the Ways and Means Committee according to the Standing Orders, and the contingent charged on the revenue was introduced into the Bill with the sanction of the Treasury, and under an arrangement made by the Treasury with the Company. He (Mr. Massey) was not then in office. The right hon. Gentleman the First Commissioner of Works then filled the office of Chairman of Committees, and must have been satisfied that the public interest had been duly protected. The Bill was not one in which a private company were solely interested; but one which proposed to establish a public work of the greatest interest and importance. It was the duty of the Government to see that the work was properly performed; and they made arrangements to protect the public interests, at the same time guaranteeing to the Company a contingent dividend. It was arranged that Government messages should have the priority, and the Treasury thought that in consideration of this there should be a guarantee. As he had said before, he did not hold office at the time the Bill passed this House; but he had no doubt had he done so he should have come to the conclusion arrived at by his predecessor, the present right hon. First Commissioner of the Board of Works.

Mr. BOUVERIE remarked, that Bills, when unopposed, were never investigated so closely as those which brought antagonism into Committees. In the present case the Treasury had made arrangements which the Bill proposed to carry out. Such arrangements were sometimes mischievous, and he supposed that it was with a conviction that such was the case that the Chancellor of the Exchequer meant presently to move an inquiry. He ought perhaps to add that it was in the power of the Chairman of the Committee of Ways and Means, if he thought proper, to refer the Bill to the Committee, and in such cases it would be treated as an opposed Bill.

Sir JAMES GRAHAM said, he knew not what hon. Member had charge of the Bill, or had moved the consideration of the Lords' Amendments; but, in the absence of the Member who had charge of it, he thought the House was much indebted to the hon. Baronet (Sir Henry Willoughby) for calling attention to the subject. The hon. Baronet had stated that an important Amendment requiring some consideration had come down from the Lords, and was now proposed to be inserted in the Bill. In the absence of the Member who had charge of the Bill, or until some other hon. Member made himself responsible for it, he (Sir James Graham) thought it desirable to postpone the consideration of the Lords' Amendments until some further attention could be given to the matter. He should, therefore, move that the consideration of them be postponed till Monday, and that they be printed in the meantime.

Motion *agreed to*.

Further consideration *adjourned* till *Monday* next.

Mr. Massey

LEAVE OF ABSENCE.

MOTION.

Mr. MAGUIRE said, that in the absence of his hon. Friend Mr. F. Russell, he had to move that leave of absence be given to Mr. Brady for a fortnight on urgent private business.

Sir FRANCIS BARING said, that as Chairman of the Election Committee he was anxious to say a few words on the present Motion. Every hon. Gentleman must be aware that a good many Committees had to sit before the termination of the Session. The duty was not a pleasant one, and it would call for the attention and the patriotism of the House. It was therefore the duty of the Election Committee to spread the duty equally among all the Members, and thus make it as light as possible. If hon. Gentlemen, however, were to move for leave of absence upon urgent private business, as the Session went on the number of Members left to serve upon the Committees still to be struck might be very small. The House would, therefore, have to be a little more strict than it usually was in giving leave of absence. The leave of absence moved for by the hon. Member in this case would expire before the panel on which his name stood, came on, and he had no objection whatever to make to the present Motion. The House could not ask what the urgent private business for which leave of absence was asked might be, but it ought to be understood that the hon. Member who moved for leave guaranteed that he had himself looked into the matter, that he had satisfied himself the leave was asked upon business of urgency, and that he was responsible to the House for the Motion he was making.

Motion *agreed to*.

COUNTY RATES (IRELAND).

QUESTION.

Mr. HASSARD said, he wished to ask the Chancellor of the Exchequer; Whether he intends to act upon the recommendations contained in the Report of the Select Committee on County Rates (Ireland) presented in July, 1858; and if he intends to take a vote in the Estimates for that purpose?

The CHANCELLOR of the EXCHEQUER said, that the question, so far as he was concerned, could be very easily answered. The Treasury had accepted in principle many months ago the recommendations of the Committee. At the end of February last they received a letter from the Irish Government, which was answered on the 4th of March. Since that letter was sent no communication had been received from the Irish Government, but within the last three weeks a fresh copy was sent to the Under Secretary at Dublin, and no doubt he would be instructed to reply. He was unable to say, without communication with the Irish Government, whether there would be any Vote this year to carry out the recommendations in the Report, or whether there would be a Bill to regulate the details of any new system which the House might think fit to establish.

CITY OF LONDON CORPORATION REFORM.—QUESTION.

Mr. JOHN LOCKE said, he rose to ask the Secretary of State for the Home Department; Whether it is the intention of Her Majesty's Government to bring in a Bill during the present Session for the reform of the Corporation of London; and, if so, whether such Bill will be in accordance with the Report of the Royal Commissioners?

Sir GEORGE LEWIS: I beg to state, in answer to the question of the hon. and learned Gentleman, that it is my intention immediately — I shall give notice this evening— to bring in a Bill for the reform of the Corporation of the City of London. With regard to the latter part of the question, whether the Bill will be in conformity with the report of the Royal Commission, having myself been one of those Commissioners, I have no doubt that a Bill founded upon the Report of the Commission would have been entitled to the consideration of the House. But since that Commission made its Report the matter has been under the consideration of a Select Committee of this House, which reported a Bill a year ago. I think the Government are bound to pay deference to the opinion of that Committee, and the Bill will, therefore, be in conformity with the measure reported by the Select Committee of this House.

STATUTE LAW COMMISSION.
QUESTION.

Mr. LOCKE KING said, he had to ask Whether the Statute Law Commission is, or is not in existence; whether Mr. Bellenden Ker is still a paid Commissioner; and, if not, on what day his salary ceased?

Sir GEORGE LEWIS said, that the Statute Law Commission was still in existence, but that Mr. Bellenden Ker was no longer a paid Commissioner. He had not ascertained on what day his salary ceased, but it was not now payable. He believed that the staff of the Commission was still in existence.

RATING OF PUBLIC ESTABLISHMENTS.
QUESTION.

Mr. ANGERSTEIN said, he wished to inquire, If it is the intention of Her Majesty's Government to introduce a Bill for the rating of public establishments during the present Session.

Sir GEORGE LEWIS said that his predecessor in office intended last Session to bring in a Bill for the rating of public establishments. That Bill made little or no progress, and there was considerable difficulty in legislating on the subject, especially with regard to the rating of charitable institutions and societies for literary and scientific purposes. It was not his intention to propose a Bill on the subject during the present Session, but he hoped to carry into effect an arrangement with some of the principal parishes in which complaint was made—namely, the parishes in which the principal forts and arsenals were situated, giving them compensation for the non-rating of public establishments. The arrangement he contemplated could be carried out by a vote of the House without the necessity of having recurrence to legislation.

ALLEGED TREATY BETWEEN FRANCE AND RUSSIA.—QUESTION.

Mr. KINGLAKE said, he wished to ask the Secretary of State for Foreign Affairs, Whether regard for the public service makes it expedient to withhold the answers of Sir J. Crampton to the despatches, dated respectively the 25th and the 29th of April past, in which Lord Malmesbury directed inquiries to be made concerning the alleged engagements between Russia and France?

Lord JOHN RUSSELL: The only despatch which I have found in the Foreign Office is one of the 8th of May from Sir

J. Crampton, which consists of a telegram that has already been made public by the late Under-Secretary of State for Foreign Affairs as soon as it was received. There will be no objection to produce it if it is required, but it contains nothing more than what I have mentioned.

PERUGIA.—QUESTION.

Mr. RICH said, he rose to ask the Secretary of State for Foreign Affairs if he has received any despatch relating to recent events at Perugia; and, if so, whether he will lay the same on the table, or state the substance of them to the House?

Lord JOHN RUSSELL: We have received more than one despatch respecting the late events at Perugia—one from Rome and another from Turin, but the facts therein stated are disputed. It is said by the Foreign Minister in Paris that the events at Perugia have been very much exaggerated, and I have directed further inquiries to be made. I would rather not produce the despatches until the real facts have been ascertained.

DESIGNS FOR THE NEW FOREIGN OFFICE.—QUESTION.

Mr. TITE said, he wished to ask the First Commissioner of Works, When the drawings for the New Foreign Offices, together with the premiated drawings, will be exhibited in the Library of the House?

Mr. FITZROY said, the drawings would be ready for exhibition in the course of ten days; but the building tenders which were to accompany the drawings, would not be ready for at least three weeks. It would be for the House to determine whether it would wish to have the designs exhibited without being accompanied by the building tenders.

THE LANDED ESTATES COURT (IRELAND).—QUESTION.

Mr. GRIFFITHS said, he wished to ask the Attorney General for Ireland, Whether he intends to recommend to the Government to equalize the suitor's percentage in the Transfer of Land Courts in Ireland down to the rate payable on amounts not exceeding £10,000.

Mr. J. D. FITZGERALD said, the authority of the Government to interfere with the percentage depended upon its being satisfied that the reduced percentage would be sufficient to meet the expenses of the Court. He believed that could not be the case at present, and that no interference could take place without legislation. He had before expressed an opinion on the principle which he still retained, but before making any recommendation, he should communicate with the Judges of the Court.

EXAMINATIONS FOR THE ARMY.
OBSERVATIONS.

Colonel NORTH said, that in rising to ask a question, of which notice had been given on the paper, he would ask permission to preface it by a few explanatory remarks. As the honour of a gentleman had been affected, he trusted to be allowed to say a few words. A statement appeared in *The Times* newspaper the day before yesterday, signed "Civilian." In that letter it was stated—[*Cries of* "Order."]

Mr. SPEAKER said, according to the rules of the House the hon. and gallant Member must confine himself to such a statement as was absolutely necessary to make his question intelligible.

Colonel NORTH said, he was sorry to put the House to any inconvenience, but he felt himself compelled to move the adjournment of the House in order that he might make a necessary statement. The statement of the person signing himself "Civilian" was this. The letter was respecting the examination of young men anxious to serve as officers in the army; and the writer thus expressed himself:—

> "I trust that one of the first acts of Mr. Sidney Herbert, our new Minister of War, will be to acquaint himself with the precise position in which his predecessor has left the important question of military education. Inquiries which I have recently instituted have satisfied me that the opponents of that question have of late made surprising progress, and that the bar which is supposed by the public to exist for the exclusion of dunces and idlers from the British Army, after having been successively lowered many pegs by order of the late Minister of War, now actually lies upon the ground, and may be readily lounged over by the most ignorant *habitué* of the Cider Cellars or Cremorne. The papers have recently announced that 150 young men have been undergoing the ordeal of an examination before the Board at Burlington-house, preliminary to receiving commissions in the British army. Such an announcement has a good effect on the public, who do not know the precise calibre of those examinations, and who justly believe that General Cameron and Mr. Moseley will scrupulously discharge whatever duties are intrusted to them; but as those gentlemen have no influence whatever

> over the scale of the examinations, which the Minister of War may depress from time to time, according to his fancy or the capacity of the young friends he wishes to introduce into the service, their only duty is to carry out his instructions with silent subordination, no matter how prejudicial to the interests of the service they may be."

Now, in the first place, he (Colonel North) begged to say that General Cameron was one of his oldest friends, and was a man of the highest honour, who would not abandon his duty at the direction of any Secretary for War. As to who "Civilian" was, he did not know, and cared still less. With respect to the late Secretary for War, he believed no Member of the House enjoyed more general respect, and no one had obtained greater confidence than the right hon. and gallant General who lately filled the high office of head of the War Department. There was not a single act of that right hon. and gallant Member which could give the slightest colour to the charges which had been brought against him, but he thought it was only just and fair to ask the right hon. and gallant Member for Huntingdon whether it was true that the standard of examinations for admission into the army had been lowered from time to time by his orders, and, further, whether the Council of Education had any influence over the scale of examinations, or merely carried out the instructions of the Secretary for War. With this view he should conclude by formally moving the adjournment of the House.

GENERAL PEEL: When my hon. and gallant Friend says he does not know who "Civilian" is, I believe he is the only person in the House who is ignorant of that person's name. [*Cries of* "Name."] Well, then, I can tell you, his name is Higgins. I understand the charge against me is, that I from time to time lowered the standard of examination for admission into the army, that this was done without consulting the Council of Education, that the Council had no authority in the matter, and it is insinuated that this was done to suit the capacity of friends whom I wished to introduce into the army. To that charge I give the most unqualified denial. So far from having lowered the standard of examination from time to time, the fact is there was but one alteration made during the time I was in office, and I will explain under what circumstances that was done. The House will then be able to judge of the accuracy of the statements that have been made by "Civilian." In the month of June, 1858, a memorandum was laid before the Council of Education as to the then state of the army in respect of candidates for commissions, of which this is an extract:—

> "There are at this time in the Cavalry of the Line ten cornetcies vacant by purchase, and twenty-four without: and in the Household Cavalry one cornetcy vacant in the 1st Life Guards, five ditto in the 2nd Life Guards, and two ditto in the Royal Horse Guards Blue; and there is not a single candidate for Cavalry on the Commander-in-Chief's list who has passed his examination. The case is also becoming even more pressing in the Infantry. There are at this moment no candidates for commissions, either by or without purchase, who have passed their examination, and are unprovided for, with the exception of five or six who passed in April last for commissions by purchase, and who have since stated their inability to purchase. There are several vacant ensigncies in different regiments which cannot, therefore, be filled at present, and seventeen battalions, to which four companies are to be added in proportion, as they approach the completion of their establishment in rank and file. It is therefore quite evident that under the present system of examination the supply will not keep pace with the demand. It may be stated that 125 candidates were examined in April. Of these 73 passed and 52 failed. At the examination of this month (June), 77 were examined of whom 50 passed and 27 failed."

That was laid before the Council of Education, and the following application from the Council was forwarded to me by the Commander-in-Chief. Be it recollected that it is said I altered from time to time the standard of education. The document is dated the 2nd of July, 1858, and runs as follows:—

> "The present very urgent demand for officers having been represented to the Council of Military Education, it has appeared desirable to recommend such modifications in the schemes of examination as will, it is believed, adapt it to present circumstances."

Then follows the modification proposed, and the memorandum goes on:—

> "The Council therefore begs to recommend them to the favourable consideration of his Royal Highness. The Council begs to add that Canon Moseley, who is absent, has expressed his concurrence in the above recommendations."

This was the answer I directed to be returned:—

> "War Office, 10th July, 1858.
>
> "Sir,—In reply to your letter of the 3rd of July, forwarding a memorandum from the Council of Military Education, recommending certain modifications in the scheme of examination of candidates for direct commissions, I am directed by Secretary Major-General Peel to acquaint you, for the information of his Royal Highness, that he approves of the alterations therein recommended. I am at the same time to remark that the report

is not signed by all the members of the Council, and to express General Peel's wish that for the future such documents may always bear the signature of all the members.

"B. HAWES."

Thus, so far from not having attended to the suggestions of the Military Council of Education, I requested that upon all occasions each of its members should sign the reports. In February of the present year an application was made to me to allow three gentlemen to pass who upon examination had obtained more than the *maximum* number of marks, but had failed to obtain the compulsory number for mathematics. I said so long as there was a scale of examination it must be adhered to strictly; but it might be proper to inquire whether the requisition for mathematics was too high; but after communicating with the Council of Education, I came to the conclusion that the scale was not too high.

Motion, by leave, *withdrawn.*

SEIZURE OF THE SHIP "LAUREL."

QUESTION.

MR. DIGBY SEYMOUR said, he wished to ask the Vice-President of the Board of Trade, whether it is true that the British ship *Laurel,* laden with a cargo of guano, has been seized at Baltimore, and if he is informed as to the circumstances attending the seizure; and whether he is in a position to state the grounds, if any, upon which such seizure is justified by the American authorities?

MR. WILSON said, in the first place, he must explain that it was not the ship but merely the cargo that had been seized. The circumstances were these:—A British vessel was chartered to convey a cargo of guano from a small island lying between Hayti and Jamaica to Baltimore, lately discovered to contain that article. Upon entering the latter port the cargo was seized by the Custom House officers, but not the ship. It appeared that the Custom House officer was not in the first instance aware of the circumstances under which the seizure took place, but on application to the Secretary of State's office he was informed that two years ago an Act was passed by the Legislature of the United States to the effect that henceforth all guano which might be afterwards discovered by American subjects, should be imported into the United States in American ships, and treated according to the same principles as the coasting trade. That consequently confined the trade to American ships, excluding British ships. The Board of Trade considered that that was a distinct infraction of the rights of British shipowners under the arrangement made between the two countries in 1849, which gave reciprocal advantages in all cases to the shipping of both countries, saving only the coasting trade; for, if this exception were to be made with respect to guano imported from a foreign possession, there was no reason why the American Government should not extend the same restriction to any other article, and thereby entirely annul those obligations which at present existed between the two countries as regards the foreign trade. The course which the Board of Trade pursued was to send a representation of these facts to the Foreign Office, which would, he believed, make a representation of them to our Minister at Washington, so that the whole subject would be brought under the consideration of the American Government, in order that this infraction of existing obligations might be stopped before it proceeded further.

PACKET CONTRACTS.

COMMITTEE MOVED FOR.

THE CHANCELLOR OF THE EXCHEQUER said, that he did not suppose that it would be the wish of the House that he should enter at any great length into a detail of the considerations which had led the Government to think that it would be wise to invite the special attention of the House of Commons to this subject through the medium of a Select Committee. In the short statement he had to make he should confine himself to reasons which were of a most general character, on the assumption which he had made, that the present would not be a convenient occasion for the discussion of the merits of any particular proceeding or arrangement. These general reasons were of a very simple kind. A considerable number of years ago the practice of granting subsidies for terms of years for what might be called ocean postal service to steampacket companies arose, having at that period in a great degree the character of an experiment, and having in view both the performance of the postal service on a scale then altogether novel, and likewise, as might be in the recollection of many hon. Members, the provision of means, which it was then thought might be found important, in connection with the defence of the country in case of emergency. The demand for the multiplication of these services progressively extended, and a very considerable charge was speedily brought on the Estimates; for, unlike the postal service within the limits of the United Kingdom, which brought a considerable revenue to the State, besides affording a great accommodation to the public, the ocean service not only absorbed the whole of the ocean postage, or postage of letters over the sea, but imposed a very considerable burden on the people of this country. He held in his hand the estimate for the present year for this service, and it amounted to £988,488, or in round numbers to a million of money, of which a considerable portion was not covered by the proceeds of the postage charged for letters. There were very important questions of policy involved in these proceedings, but the first and most obvious proposition he would submit to the notice of the House, and which he thought constituted an ample justification for his Motion, was this, that inasmuch as these proceedings undertaken by the Executive Government had not rested on any system of fixed principles, and, at the same time, as they had been undertaken in anticipation of the judgment of the House, the practical effect, he must say, without intending the slightest censure on any Government (for the censure, if delivered, must fall on almost every Government for the last twelve or fourteen years), had been virtually to oust the House of Commons of its jurisdiction over a very important, extensive, and he might add, a very critical branch of the public expenditure. Then, again, the Government had not only been without the guidance it would have derived from a positive judgment expressed on the part of the House, but it had likewise been without the guidance of a well-ascertained public opinion, and all along the matter had been much controverted among intelligent and well-informed persons, whether subsidy ought to have been resorted to at all, and, more generally, whether the system of subsidy had not been continued for a longer time and extended beyond the limits which necessity and public expediency pointed out. Consequently there were very great jealousies on the part of private traders of various descriptions, who had not enjoyed the benefit of public subvention, and without pretending to assert that these jealousies were well founded, he thought it was obvious that by the institution of a well-selected Committee the House might probably arrive at one or two valuable results—either that these complaints were well-founded, and that subsidies had been needlessly and extravagantly granted; or, on the other hand, if the public advantage and policy had been considered in the measures that had been taken, the examination of the question by a Committee would tend to give general satisfaction, and to remove the doubts that had so extensively prevailed on this question. In 1853, during the Government of the Earl of Aberdeen, the disposition of Parliament and the public with respect to the public expenditure was not then precisely what it now was. The right hon. Member for Carlisle (Sir J. Graham), when he held the office of First Lord of the Admiralty, and himself, filling the same office as he had now the honour to hold, were both somewhat alarmed at the extent to which the charge for these postal services increased—namely, to about £850,000, and the Government at that period appointed a Commission for the purpose of examining into the whole case and making suggestions with respect to the policy of the proceeding. On that Commission they had the advantage of the services of Earl Canning, afterwards Governor General of India, the hon. Member for Stamford (Sir S. Northcote), and the right hon. Member for Hertford (Mr. Cowper). He thought the general effect of the Report of that Commission was that, although the hands of the Government were in a great degree tied from the nature of existing contracts, yet prospectively something might be done towards the reduction of the charge. It was scarcely possible for the Commission to enter at large into a discussion of the details, but the general effect of their Report was undoubtedly to point to a diminution instead of an increase of charge, and he had no doubt that the Report tended to give satisfaction both to the House of Commons and to those parties who had entertained jealous feelings on the subject out of doors. Subsequent experience, however, had not borne out the expectations which that Report was calculated to excite. On the contrary, the charge, which then stood at £850,000, had since increased until it had reached very nearly £1,000,000; nor did even that amount at all represent the *maximum* expenditure if they were to proceed upon the present system. The House was aware that a contract had recently been concluded with a steam-packet company for a new American service which would involve an annual payment, commencing from next year, of £75,000. Various parties had, in answer to an invitation issued some time ago, though it did not amount to a pledge, submitted tenders to the Government for another and an important line of steamers. Australia, which was at present supplied by the Red Sea route, was desirous of having a line of communication by a regular ocean steam service across the Isthmus of Panama. If such a line should be established, it would lead to another and a very heavy additional charge upon the revenue, although he was unable to state the precise amount of that charge. He would not enter into the question, whether any considerable amount of compensation might be derived from the postage of letters, he certainly was correct in saying that a very heavy additional charge would in the first instance be thrown upon the Exchequer. Nor was this all, for the effect of this policy had undoubtedly been to create all over the world, where there were British establishments, British interests, or British settlements, a sanguine and confident expectation that the purse of the British public would be available to supply a regular and expensive postal communication. This impression was gaining ground from year to year, so that, unless the House of Commons took serious cognizance of the subject, it would be found, if they continued in their present course, that what was now merely an expectation would harden into a principle and an absolute dogma, which no Government, and he might almost say no Parliament, would be able to resist. Under these circumstances he would not say what policy should be pursued; he would not in the least degree attempt to prejudge the general question, but he thought it was plain on every principle that ought to regulate the public expenditure and impress the House of Commons with a jealousy for its privileges, the time had arrived when this matter should be subjected on the part of the House to systematic, careful, and searching examination. He did not think it necessary to add anything to what he had thus briefly stated as the general reasons for the appointment of the Committee. He could only say that, if the Committee were appointed, it would be the study of the Government—and he hoped they would receive the assistance of others who were qualified to aid them—to select the names of those hon. Members who were to constitute it, with the view of securing as far as possible an impartial and thorough-going inquiry. With regard to the scope of the Committee's inquiries, he was desirous that it should be as wide as possible, but he would venture to propose a trivial alteration which would render the Motion somewhat more extensive in its application. As it then stood, he thought the expression "various steampacket companies for the conveyance of the mails beyond the limits of the United Kingdom" was somewhat ambiguous. For those words, therefore, he proposed to substitute the words "by sea." This would serve to clear away the ambiguity, and on looking at the contract for the conveyance of the mails between Holyhead and Kingstown, he found that contract was clearly one that ought to come under review, as it was entered into for ten years, although it had now nearly expired. Of course, it was needless for him to say, that all parties who were interested in this question might rest assured that a Committee of the House of Commons investigating this matter would conduct their inquiries subject to every restraint which could be imposed by considerations of good faith as well as public policy; but at the same time, it would be the duty of the Committee to examine carefully into every transaction which had been concluded, and which might from its nature appear to be illustrative of the general subject, or to suggest particular considerations of importance. He might observe, with reference to a question which had been put the other night, that he had no doubt the contract recently concluded for an ocean service from Galway to St. John's, Newfoundland, would attract the attention of the Committee, inasmuch as the arrangement, although concluded so far as to bind the Government, might still be said to be in some degree in embryo. He must say, however, that this Committee was not proposed with any exclusive or special reference to that subject, and although it would be the duty of the Committee to entertain fully every question relating to that arrangement, it would have been the duty of the Government, from considerations of public interest, to recommend the appointment of this Committee if the steam-packet service between Galway and St. John's had never been established. He did not know that there was anything else on which it was necessary for him to offer further explanation, but he should be ready to give any such explanation if a future discussion should take place, and he would therefore simply submit the Motion with the slight alteration he had suggested.

Motion made, and Question proposed,—

"That a Select Committee be appointed to inquire into the manner in which Contracts extending over periods of years have from time to time been formed or modified by Her Majesty's Government with various Steam Packet Companies for the conveyance of the Mails by Sea; and likewise into any agreements or other arrangements which have been adopted at the public charge, actual or prospective, for the purposes of telegraphic communications beyond sea, and to report their opinion thereon to the House; together with any Recommendations as to rules to be observed hereafter by the Government in making Contracts for services which have not yet been sanctioned by Parliament, or which extend over a series of years."

MR. H. HERBERT said, he did not rise to trouble the House with any remarks on the subject generally, but to express an earnest hope that the right hon. Gentleman would not persist in his intention to alter the original words of his Motion. No doubt it was quite proper that a Committee should inquire into the ocean steam-packet service, but the change in the terms of the Motion would reopen a question which had on several occasions been discussed in that House, and which had been already decided by a Committee of the House, and it would occasion the utmost dismay, not only among hon. Gentlemen connected with Ireland, but among the great bulk of the Irish people. He had the honour of being chairman of the Committee on postal communication with Ireland, and while it was sitting he had communications from a vast number of persons connected with Ireland, and he could assure the right hon. Gentleman that the interest felt in the subject in Ireland was most intense. On the other hand, the greatest satisfaction had been manifested by the Irish public when the concessions on this subject, which they had been anticipating for years, were made by the Government, but in proportion to that satisfaction would be the disappointment which would be excited in that country when it was understood that the Government intended to reopen the question. He hoped the right hon. Gentleman would consider that the words of his original Motion were sufficiently comprehensive; but if he persisted in his Amendment, he (Mr. Herbert) would divide the House against it.

SIR STAFFORD NORTHCOTE said, that he concurred individually, and he had no doubt that every other Member of the late Government also concurred in the proposal to appoint a Committee. He had no indisposition to enter into the fullest discussion of the contracts made by the late Government, but the House would probably think it more convenient now to follow the course proposed by the Chancellor of the Exchequer, and confine itself to the very important Motion before it. The question was one of great difficulty. The right hon. Gentleman had referred to the Committee or Commission of 1853, of which Lord Canning, Mr. Cowper, and he (Sir S. Northcote) were members. At the time that Committee was appointed the estimate for the postal service amounted to £853,000. In their Report they held out a hope that that charge would be reduced. They went generally into the principles upon which the postal service should be conducted, and certain lines of communication be subsidized. Their general view was that the packet service should be carried on by the Government and under a system of contracts rather than by direct Government agency, and that in determining what lines should be started and maintained reference should be had, not merely to postal, but also to social, political, and commercial considerations. They also held that the Government might at first wisely grant subsidies in certain cases beyond the return they might expect in postal advantages, but that, as a general rule, where political considerations were not involved, this system ought not to be continued after the companies had been once fairly established. Several other points bearing upon the subject were also fully considered. Amongst others, whether the packets employed in the service should be made available for purposes of war. It was recommended that the contracts should be so worded as to render the packets available for such purposes if their services were required. A suggestion emanating from the chairman as representing the Post Office was adopted, namely, to alter the whole system of packet service by substituting for contracts for long periods, contracts for short periods, even for single voyages. It was on the possible success of this alteration that the Committee grounded their hope of a permanent reduction in the expenditure on this service. The experiment was tried, and the result was that the cost of the packet service gradually declined from £853,000 to

£756,000, effecting thereby a considerable reduction in the Estimates. But in 1857 the system was materially altered under the Government of the noble Lord opposite, for reasons that doubtless appeared satisfactory, but the Estimates for the packet service in one year ran up to £923,000, or thereabouts. What had taken place in the previous interval? They had had experience of the effect of contracts for short periods, particularly in the communications with Australia. That system was considered unsatisfactory, and the colonists objected to it. It was to put an end to that system that the right hon. Gentleman the Vice President of the Board of Trade (Mr. Wilson) thought it necessary to revert in some measure to the old system of lengthened contracts, and contracts were made to establish a regular service to Australia. Since then further additions had been made to the packet Estimates until they arrived at their present amount. But those additions were nothing compared with those made in 1857. He trusted that the Committee of which the right hon. Gentleman had given notice, would inquire into the whole subject, and not confine their investigation to one or two contracts. He thought that they should consider what were the principles illustrated by those contracts. In the Report of the former Committee they had speculated on the possibility of a war. What was then but a mere speculation soon afterwards became a fact. The Crimean war broke out, and they then had practical proof of the great value of the packet service to this country. The contracts with the Peninsular and Oriental Company and with other companies for the transport of stores and of troops had been attended with incalculable advantage, and no doubt this consideration had its influence when the old system of long contracts was revived. Wide as the right hon. Gentleman the Chancellor of the Exchequer now wished to make the reference to the Committee, the words proposed were hardly wide enough. Of course the conduct of different Governments in regard to each particular contract must be sifted, but it was even more important to ascertain what were the principles on which this service ought to be conducted, and he (Sir Stafford Northcote) doubted whether, under the terms of the Motion as it now stood, the Committee would be at liberty to enter into that point. If they laid down the rule that no contracts should be entered into unless where the sums paid to the companies were likely to be returned to the country in the shape of postage, he was afraid that, with a single exception, none of the trans-oceanic services would be maintained, for only one of them (if one) repaid the entire outly made upon it. It must not be considered, however, that the whole of the cost of the packet service was lost, for a considerable amount of it came back in the shape of postage. In 1853 the Committee endeavoured to obtain an estimate of the net cost to the public for the packet service; and they found that the service cost the public above the amount of postage received, £325,000. It was not therefore a question of £1,000,000 expenditure, but of £300,000 or £400,000. There was also another point. The right hon. Gentleman the Vice President of the Board of Trade, who had taken great pains in the matter, had laid down the principle that the Colonies should be called on to pay half the expenses of this service. It was true that as yet circumstances had prevented the Government reaping the full advantage of this arrangement, and no money had come in from the Colonies in relation to this matter until very lately. But those anticipated receipts from the Colonies must be taken as another element of the diminution of the large amount of the expense of the packet service. There were many other considerations mixed up with this subject besides the financial one. A question ultimately connected with it was our defences and maritime greatness, in which, of course, the commerce of the country was seriously concerned. As an instance of that fact he might mention the contract entered into with Mr., now Sir, Samuel Cunard, which resulted in the American line of packets being wholly defeated in the race of competition. In relation to this packet service it had been the experience of successive Governments, that there were opposite views taken by two departments. The one was that taken by the Admiralty, the other by the Post Office authorities. Comments had frequently been made upon contracts having been entered into against the advice of the Postmaster General. The view taken by the Post Office authorities was one regarding financial considerations only. The Admiralty, however, suggested other considerations, equally, if not much more, important. The Treasury endeavoured to hold the balance between the two opinions and so reconcile the discrepancies. Now, to go thoroughly into the subject, these views should be fairly considered by the Committee, and then it would be in a position to make a report, which would enable the House to judge what expense it was incurring, for what purpose it was incurred, and what results were likely to be attained. In conclusion, he could assure the right hon. Gentleman the Chancellor of the Exchequer that he would meet with every co-operation from Members on that side of the House in forwarding the objects which he had in view.

MR. MARSH said, he was of opinion that if the result of the labours of the Committee was to establish that only one line of oceanic postage were desirable, he believed it would greatly increase the efficiency of the service and would likewise have the effect of curtailing the very considerable outlay that was at present necessitated both on the part of this country and of the Colonies. At present considerable diversity of opinion existed with regard to what might be regarded as such a simple matter as the shortest route to Sydney; most persons maintaining that the most direct passage was by way of Panama, though the House might be surprised to hear that the shortest was in reality by North America and Labrador. In a very few months telegraphic messages would be transmitted *viâ* Aden, in half the time that they would be by way of Panama; and this very route, he maintained, might be made a means of cheapening the postage to Australia; for if packets went merely from Australia to Ceylon they could accomplish this fortnightly instead of monthly as at present, and the Bombay and Calcutta packets could pick up and bring the mails from thence.

MR. CRAWFORD said, he was sure that the public would be in the highest degree satisfied with the statement of the Chancellor of the Exchequer, as much discontent prevailed at the way in which the system of public contracts had hitherto been carried on. He did not think it was so much a question whether the making of a particular contract was to be charged as a ground of censure against this or that Government, or whether one or another Administration was to be praised for exerting itself to forward the public wish with regard to a particular line. But when they saw the documents which had been laid on the table of the House respecting the Galway and Dovor mail contracts, and perused the voluminous mass of correspondence which had been presented in reference to the Mediterranean Telegraph contract, it seemed to be high time that matters should be placed on some footing that would be satisfactory to the Government and acceptable to the country, and which could only be done through the agency of a Committee appointed by that House. It was a matter for congratulation that England was now the postal carrier for the entire world, and he would venture to suggest that as telegraphic communication would supersede, to a great extent, the postal communications hitherto carried on between different countries, it was a subject deserving the attention of the Committee, in what mode telegraphic companies should be assisted by Government, and to what extent Government itself should establish telegraphic communications between our various dependencies and other countries. If the Committee extended its inquiries to this important subject of telegraphic communication they would render great service to the country.

MR. GEORGE said, that being as an Irish county Member peculiarly interested in the communication between London and Dublin, and in consequence of the especial allusion that had been made to it by the Chancellor of the Exchequer, he was desirous of saying a few words. He wished to remind the House that the contract for the postal service between Dublin and London rested on peculiar grounds. It would be recollected that repeated complaints had been made from time to time with regard to the state of the postal and passenger communication between the two countries, and more especially between the two capitals; Committees again and again reported on the subject, and eventually, in accordance with their recommendations, a special Act of Parliament was passed, enabling, and almost directing, the London and North Western and the Chester and Holyhead Railway Companies, and the City of Dublin Steam Packet Company to enter into a contract for the improvement of the communication between the two countries. Repeated questions were put in consequence of the delay which took place in carrying out that agreement, and an interval of two years elapsed before the matter was brought to a satisfactory conclusion. At the end of last year, however, a solemn contract was entered into and signed by the railway and steam packet companies, by the Lords of the Admiralty, the Post Office authorities, and other parties interested in this subject. It had been specially provided that the large sum of £300,000 should be raised, and four steam packets of unexampled speed and power constructed and put upon that station; and, confiding in the faith of the departments in question, that sum had been raised, and interest was at present payable on a considerable portion of it. Contracts had been entered into with a great Liverpool firm for the building of three of the ships, and with Mr. Samuda, of London, for the fourth. If it were now to be understood that this contract was to be referred to the consideration of a Select Committee, the security of those persons who had lent their money for this object would be materially affected; and the desideratum of improved communication with Ireland would be again indefinitely postponed. To show the public spirit with which the contractors had acted in this case, he might mention that in consequence of an Act of the Legislature recently adopted, which directed that Post Office contracts were to be subject to the annual revision of Parliament, they absolutely signed an agreement putting themselves under that special Act, although they did not consider themselves bound to do so. Under these circumstances he could not but think that the public faith in Government contracts would be very much shaken if the one that had been so deliberately closed between the Government and the companies to whose case he had referred were re-opened by a Committee of that House.

Viscount DUNKELLIN said, that the Motion itself was unobjectionable, but some of the observations which had fallen from the right hon. Gentleman in introducing it, might, he feared, insensibly bias the tenor of instructions to the Committee, by reason of the high quarter from which these had proceeded. In his view every engagement entered into between the Executive Government and any body of public men, even irrespective of its merits or demerits, became a matter of public faith; and therefore he trusted that, so far as Galway was concerned, which had repeatedly engaged the attention of Parliamentary Committees as an eligible transatlantic packet station, the scope of the inquiry might be narrowed by its omission from the Resolution.

Mr. WILSON said, that whilst the scope of the inquiry would embrace contracts for mail service between different parts of the United Kingdom, he could assure the hon. and learned Member for Wexford (Mr. George) that there was no intention on the part of the Government to interfere with the contract entered into for the postal service between Dublin and London. Indeed the Government was prepared to pledge itself not to reopen or disturb in any manner that contract as it now stood, or to endanger its existence in any way. It was only desired to point the inquiry to such contracts as might hereafter be proposed. With reference to an observation made in the course of the discussion with regard to the large sums of money expended on mail-packet services when he was Secretary to the Treasury, he would remind the House that Lord Jocelyn's Committee, which investigated the question a few years ago, came to a decided opinion in reference to it, which the Government first ought to put in practice, but were eventually obliged to abandon. Subsequently, in making new contracts, the Treasury for the first time laid down the principle that if the distant possessions of this country were to have a postal communication, it was but right that they should contribute a fair proportion of the expenditure. The Australian colonies in this way contributed £90,000 a year, the Cape £20,000, and the Indian Government £50,000. These sums, taken together, would go far to account for the increased expenditure.

Mr. HENLEY said, he wished to express his satisfaction that this subject, involving, as it did, so large an expenditure of public money, was about to be submitted to a thorough investigation. He hoped the inquiry would not be narrowed down in the manner suggested by some hon. Members. As he took it, the object of appointing the Committee was not the re-opening of public contracts; but it was very important that the public should be put in a position to judge whether a better arrangement than that which at present existed might not be adopted in respect of the mode of making those contracts. For himself, he was not very sanguine that the Committee would make a very early report. Some years ago he sat upon a Committee to inquire into a contract in which the Peninsular and Oriental Company were concerned, and that inquiry lasted a long time. The present Committee were going to travel all over the world, and their labours would not, he feared, be very speedily concluded.

Mr. BOUVERIE said, that there was one matter connected with this subject upon which nothing had as yet been said, in a debate which had lasted an hour and a half, but on which he should like to come to a clearer understanding—he meant the contract for the conveyance of the mails between Galway and the United States. That contract, no doubt, was the cause of the present Motion, and without prejudging the Report of the Committee, but judging from the papers before the House, a more reckless, more hasty, and more inconsiderate, waste of public money never was made. He doubted whether the terms of the reference made by the Chancellor of the Exchequer would enable the Committee to go into that particular case, for he considered that no actual contract had been entered into with the company, but that merely the basis of a contract had been agreed to. If this were so, he should move an Amendment which would include it in the matter referred to the Committee. [Mr. WILSON: There is a contract.] Then the case would, of course, come before the Committee. It seemed to him, firstly, that the late Government had made a reckless and inconsiderate contract for the public interests, and, secondly, that they had been guilty of conduct to a particular company, of which he had no knowledge, but which was, he believed, a powerful, respectable company at Liverpool, which no one would be guilty of in his private affairs. The late Secretary for the Treasury had expressed his pleasure at the manner in which the Chancellor of the Exchequer proposed to deal with the subject. He (Mr. Bouverie) did not wonder at it, because by the proposed arrangement the Galway contract would be glossed over. It would not do, however, to tell the House of Commons that they must wait twelve months for the Report of the Committee, when the matter would be dead and buried, before they expressed an opinion upon these transactions. What were the facts as they appeared in the correspondence before the House? A company—the Atlantic Steam Navigation Company—which, from the statement of the Secretary of the Treasury the other night, was apparently something like a bubble company, applied to the Government of Newfoundland for a contract for carrying the mails from Ireland to Newfoundland, and so on to New York and Boston. The Government at home were asked to go shares with the Government of Newfoundland in subsidizing that company, and after a good deal of previous negotiation a Minute of the Treasury, dated October 7, 1858, authorized an advance upon the terms agreed to by the previous Government from £3,000 to £4,500 a year, in addition to the subsidy which the Newfoundland Colonial Government were willing to give the company for carrying on the packet service from Ireland to Newfoundland. The Treasury Minute of October 7, 1858, ran as follows:—

> "The late Board of Treasury declined making any advance beyond the sum of £3,000; nevertheless, my Lords being desirous of meeting what may be the views and wishes of the Colony, and being duly sensible of the great advantage of expediting the communication with Newfoundland and the North American Colonies generally, are disposed to authorize an advance on the Imperial contribution from £3,000 to £4,000, or £4,500 as a *maximum*, if Sir Edward Bulwer Lytton shall be of opinion that such an advance will be expedient, and provided an advance at least equal to that of the Imperial Government beyond the £7,000 now offered by the Colony shall be made from the colonial resources, and that the service shall be in other respects, excepting as regards the port of embarcation, as complete as that proposed upon the former occasion. My Lords are desirous, however, to have it understood that it will be for the Colony to determine whether it will be for their interest to enter into the proposed arrangement with the company represented by Lord Bury, or to throw the service open to public competition, or to deal with the present contractor, Mr. Cunard, subject, of course, to the eventful approval of Her Majesty's Government."

In the same month Viscount Bury, as the agent of the company, went out, and on the 21st of October he arrived at St. John's, Newfoundland. He saw the Executive Council there, and on the 22nd a contract was concluded for a service from Newfoundland to Galway for a year. The Home Government had a veto reserved to them upon it, but the contract came home and was approved by them for twelve months, so that for the year 1859 the Governments of Great Britain and Newfoundland agreed to subsidize the Atlantic company. It appeared that the Liverpool company got wind of this arrangement, for on the 25th of October, three days after the contract was signed at St. John's, they wrote to the Government at home to say, that they had carried on an independent service with America, greatly to the public convenience, for which they received no subsidy, nothing in short beyond the usual sum paid for ocean postage, and they prayed that in the event of any extension of the postal service they might be allowed to tender. He was sorry that the hon. Member for Liverpool (Mr. Horsfall) had not thought fit to stand up for a company, which appeared to him to have been very ill-used.

On the 9th of November Sir Charles Trevelyan replied to their application as follows:—

> "I am desired by the Lords Commissioners of Her Majesty's Treasury to inform you, in reply to the letter addressed by you to this Board on behalf of the Liverpool, New York, and Philadelphia Steamship Company, that when a new postal service is about to be established by Government, it is the practice of their Lordships to invite tenders by public advertisements, thereby affording to all parties the opportunity of competing for such services, provided they conform to the required conditions."

This answer was given, it was to be remembered, after the Government had parted, by their minute of October 7, with the power of advertising for tenders for the current year. They had handed that power over to the Newfoundland Government. In the beginning of January, the Atlantic Royal Mail Steam Navigation Company offered to conduct a Government postal service from Galway to America upon the conditions they specified, namely, that the contract should be for seven years, the terms being £3,000 for the passage out and home, which, on a fortnightly service, would amount to about £72,000 a year. The Treasury very properly referred the matter to the General Post Office for their opinion on the desirability of the contract. This offer was sent in on the 18th of January, and on the 12th of February the Postmaster General made a report, condemning any such contract in the strongest terms, and setting forth with great and convincing force the objections to it. Yet, a few days afterwards, on the 22nd of February, a Treasury minute was made, declaring without any reasons alleged for this course, that the Government were prepared to enter into a contract upon the terms condemned by the Postmaster General. The hon. Baronet (Sir Stafford Northcote) had reminded the House that he was a Member of a Treasury Committee which had reported strongly that contracts for ocean steamers ought only to be made for short periods, under the impression that the time had almost arrived when these services ought to be executed, not for large subsidies for long periods, but in consideration of the receipt of the ocean postage of the letters they carried. It was true, the hon. Baronet had added, that the Government which had preceded his own, had disregarded that Report. Now, that might be a reason why he should complain of the Government to which he had referred. But it could be no reason why the hon. Gentleman should himself fly in the face of his own Report. He came now to a matter he could not understand. It appeared that on the 22nd of February the Treasury agreed to the proposal for a contract, and it was a singular part of the history that upon that very day in the House of Lords, a question on the subject was asked of the Earl of Derby, by Lord Stanley of Alderley, and the noble Earl was represented by *Hansard* to have said:

> "Her Majesty's Government had not at present entered into any definitive contract for making Galway the port of departure for the mails. A proposition, however, had been submitted to the Treasury by one of the Atlantic steam companies for a regular fortnightly service from Galway to some port in North America. That proposition was under consideration upon the terms submitted by the company, but the Lords of the Treasury had, of course, reserved to themselves the power, before any arrangement was concluded, of making the fullest inquiry as to the extent of the benefit to be obtained from such communication, and the solvency of the company. Security would also be required for the carrying out of the conditions of the contract in the adequate manner in which it was now performed by the Cunard Company."—[3 *Hansard*, clii. 679.]

Thus, at the moment that the Earl of Derby was saying that the matter was under consideration, the Treasury had entered into an agreement for a contract. Upon the 23rd of February the Liverpool Company, which seemed like most Liverpool merchants, to be pretty much alive to its own interests, seeing this report in the papers, wrote to their Member, expressing alarm about the Galway contract, referring to the statement previously made to them that all tenders would be open, and wishing to know how the matter really stood. In April, two months afterwards, the Treasury—after having distinctly stated to the company that it was their practice, "when a new postal service was about to be established, to invite tenders by public advertisement, thereby affording to all parties the opportunity of competing for the public service"—wrote to the Liverpool Company to this effect:—

> "My Lords admit the expediency, as a general rule, of inviting tenders by public competition when new postal services are about to be established, under circumstances in which the principle of competition is properly applicable; but the case referred to in your letter is quite exceptional."

The treatment of this Company by the Treasury, he repeated, was treatment such as no gentleman would use towards any man of business with whom he had transactions. He had had no communications with the Company; he did not know one of them; his opinion was formed solely from reading the papers and comparing dates. What was the first fact with which the House and the Committee would have to deal? In the face of a lengthened and reasoned report from the Postmaster-General, alleging grounds which were perfectly conclusive why the contract should not be entered into, the Treasury, without giving any reasons whatever upon paper, had thought fit to enter into this contract for seven years, which would saddle the public with a payment of about £72,000 a year. They said, "My Lords cannot regard this as a mere postal contract; it comprises considerations of a more extended character." No doubt it was not a mere postal contract—it did comprise considerations of a more extended character. Whether those considerations had been received or not, it was not for him to say. Upon the papers as they appeared, the whole proceeding displayed a most reckless and inconsiderate dealing with a great question. It was stated in the course of the correspondence that it was very desirable to encourage this great Irish line. He would not enter into the question whether this was the case or not, or whether the route *viâ* Galway was a good or a bad one, but he complained of the mode in which the question had been dealt with by the late Government. If it was a good line there was a different way of opening it. One instance of the improvident haste with which these arrangements had been concluded. It was said it was not a simple postal contract, but it was intended to open a route to Irish emigrants, in order to relieve them from the necessity of coming to Liverpool on their way to America. Now it happened that there was a clause in the agreement entered into with the Government of Newfoundland exempting the ships of the company from the operation of the Passengers Act, which had been passed by Parliament expressly to protect the poor Irish emigrants from ill-treatment on board of emigrant ships. When the contract was sent to the Postmaster-General and the Admiralty for their consideration that grievous blunder was discovered, and the Treasury were obliged to cobble up an imperfect contrivance, with the help of the Emigration Commissioners, to remedy the difficulty. But he contended that the Treasury had no right to enter into considerations respecting emigration, or to pay public money to promote it. If they wished to promote a line for that purpose they ought to have come to Parliament and obtained specific authority to deal with the question. He thought the debate, so far as it had gone, had not turned upon the real points to which the attention of the public was directed, and therefore he had felt it his duty to call the attention of the House to a few of the facts connected with this matter.

MR. HORSFALL said, he should not have taken part in this discussion had not the right hon. Member for Kilmarnock laid it to his charge that he had not stood up for his friends, and he only rose for the purpose of showing that the taunt was entirely without foundation. He was afraid the right hon. Member had not been so attentive as he ought to his Parliamentary duties, or he would have remembered that he (Mr. Horsfall) was the first to bring this subject before the House. Hon. Members had on that occasion talked about his being jealous of the interests of Ireland, but he said that he looked upon this as a national question, at the same time that he thought great injustice had been done to his friends in Liverpool. He (Mr. Horsfall) stated the very opinions to which the hon. Member had just given utterance. He read the letter from Sir Charles Trevelyan which the right hon. Member had read; but, feeling this to be a national question, he was quite content to leave the whole question in the hands of Parliament. He approved of the Committee, and had no doubt that the Committee would come to a just decision not only with regard to the Galway line, but with regard to every other line which would be submitted to their discussion.

MR. ELLICE (St. Andrews) said, that he did not wish to cast imputations on any persons connected with these contracts, but he wished to direct the attention of the House to the injury done to the province of Canada. That province, in order to assist the gentlemen of Liverpool, granted a large subsidy to complete the communication, which now took place once a week between Liverpool and that colony. From personal experience he could say that neither Cunard's vessels nor any other vessels between England and America were better fitted to accomplish the object in view than the vessels employed by the company under the patronage of the Government of Canada. Those vessels carried the letters without the least cost to the public of this country, and when this was the case, and when the communication was so complete that even a large portion of the correspondence from the United States was brought by these packets from Canada, it might have occurred to the Treasury whether the taxpayers of this country might not have been exempted from a heavy contribution. The proposed inquiry could have no practical end. There would be various opinions expressed, just as various opinions had been bandied about from one side of the House; but the subject was one on which the public were amply informed, and on which they had made up their minds. The great object which the House should have in view was, to see whether the postal communication could be maintained without calling on the Exchequer to pay for it. He desired the House to be a little jealous of the quarter from which this proposition emanated, because the President of the Board of Trade had sanctioned the prolongation of the Cunard contract. ["No, no!"] He was glad, then, to hear that his side of the House was not subject to the blame, to which he feared both Governments had been liable. If there were a person more meritorious than another in connection with this matter, it was Sir Samuel Cunard. The enterprising and efficient manner in which he conducted the service entitled him to the thanks of the country, and even to some favour in any arrangement made for carrying on the packet service after the expiration of his contract; but he thought that means should have been taken, before extending the contract, to ascertain whether the service might be carried on in a more economical manner, and, when he knew that other departments of the Government were of the same opinion, he considered it strange that the Treasury should have taken on itself to squander, as he must call it, the public money. It might be said that this last Irish contract was not of much importance; but hon. Gentlemen in that House, night after night, called on the Chancellor of the Exchequer to repeal the paper duty, and others complained of taxation pressing on particular classes; but, if the House continued the habit it had indulged in for the last four or five years of recklessly voting money for any purpose that might be urged, it had no right to call upon the Chancellor of the Exchequer to repeal taxation. With regard to the £73,000 paid to the new company, he must say that it was so much money belonging to the public actually thrown away. He recommended that the Committee should enter into the merits of this particular contract, and see what security had been obtained from the parties for its fulfilment, and how the service had been hitherto conducted in order that the public might be relieved from the error, if error it were, that this was a great and scandalous job.

Mr. VANCE said, he must express his regret that the discussion had not been conducted in a more temperate manner. In his opinion the late Government not only was free from blame, but deserved commendation for the agreement made with the new company, more especially in reference to the interests of Newfoundland, which place was passed by Cunard's vessels, so that other vessels had to be engaged to bring the passengers and correspondence back again from Halifax. There was an absolute necessity that some other port for the departure and arrival of the mail should be sanctioned besides Liverpool, on account of the detention occasioned by beating through the Channel, and from occasional want of water before the port of Liverpool. It was said that this line was not put up to competition, but neither was Cunard's when first established, and Ireland had a claim to the benefit of a communication with America. It had been alleged that Cunard had been treated with neglect, but it must be borne in mind that his contract had been prolonged, and that he had received a distinguished mark of Royal favour. All the great towns in Ireland sent memorials to the Lord-Lieutenant demanding that there should be a line from Ireland to America, and Galway was fixed upon by all parties, with the exception of a few otherwise interested.

Viscount DUNCAN said, he wished to ask the Chancellor of the Exchequer whether the Galway contract was actually concluded, and, if so, whether the right hon. Gentleman considered the House pledged a year beforehand to vote the means necessary to carry it out? He should like also to know to what extent the right hon. Gentleman thought the Treasury had power to bind that House beforehand to every profligate piece of expenditure which the Treasury might choose to sanction. He might remind the House that a considerable time must necessarily elapse before the Committee could report, and this was sometimes a very convenient mode of shelving troublesome questions. He hoped that when the subject of the Red Sea Telegraph was brought before the House, they would hear from the Chancellor of the Exchequer or the Secretary to the Treasury, upon what principles they intended to act with regard to these various contracts. He had read the papers connected with this subject with great surprise, and he thought, from a letter dated March 15th, and stating that the Treasury had written to the Admiralty announcing their determination to enter into the contract, that the noble Lord at the head of the Post Office Department, who seemed to him to have taken a very correct view of this question, had been treated with quite as little ceremony as the House of Commons. He could only express his satisfaction that the matter had been brought under the notice of the House.

Mr. DISRAELI said, that he wished to state on the part of the late Government, that it would have been much more satisfactory to them had the subject of the Galway line been brought specifically under the consideration of the House, although he was quite ready to admit with respect to the subject generally that it was convenient at that time to support the proposition of the Government. He was prepared, however, whenever the opportunity was afforded him to enter fully into the whole of the Galway question. The only condition he would make was one not unusual in that House—namely, that fair notice should be given when the subject would be brought forward. From what he had heard before he entered the House with regard to the intention of the Government, he did not expect to find that particular grant made the subject of discussion. He was, therefore, unprepared with papers, and had no opportunity of refreshing his recollection, and he believed he might say that all his late colleagues in the Government were in the same position. He certainly would have supposed that such a statement as had been made by the right hon. Member for Kilmarnock (Mr. Bouverie) would have been preceded by a formal notice. With regard to the contract which appeared to have excited so much alarm in the mind of the noble Lord who last spoke, it might be satisfactory to him to learn that it would be in the power of the House, when a Vote of money was proposed, to reject it entirely. Formerly, when contracts of this nature were concluded, inasmuch as the expenditure was defrayed from the Post Office revenue, they were not subject to the pleasure of Parliament; but speaking from recollection, he believed that in the present instance it was for the first time specially provided that the contract should depend upon the approval of Parliament, and the House of Commons would therefore have a fair and complete opportunity of expressing its opinion upon the policy recommended by the late Government. He would be unable to do justice to the conduct of the late Government if on this occasion, without the opportunity of referring to a single paper, he entered upon a defence of the course they had pursued, or attempted to answer every allegation made by the right hon. Member for Kilmarnock. He hoped that, although the House might assent to the appointment of this Committee, the right hon. Gentleman would find it consistent with his convenience to bring the question of the Galway grant specifically before the House, and at as early a period as possible. He would only say that, both with regard to the prolongation of Sir Samuel Cunard's contract and the conclusion of the contract for the Galway line the late Government had been influenced by no other consideration than the public advantage, and when the Committee had instituted an inquiry it would be found that "jobs" were neither so flagrant nor so frequent as it was very easy to assume they were in discussions in that House. He felt confident that in both the cases which had been referred to—for which in a great degree and particularly for one of them, the late Government was responsible—it would be found that in advising this disposition of the public money they were influenced by the only feeling which he believed could influence Gentlemen who were placed in the responsible position of Ministers of the Crown in this country — a conviction that the course they recommended was for the public good. He thought it right, before he sat down, to notice one observation which had been made by the right hon. Member for Kilmarnock, because it implied an inconsistency in the conduct of a noble Friend of his in another place, which could not for a moment be sustained. The right hon. Gentleman said that, on the 15th of February—the date of a minute which intimated that the Treasury were prepared to enter into a contract—the Earl of Derby had stated in the House of Lords, in answer to a question, that the Treasury had not entered into a contract, and the right hon. Gentleman dilated upon the inconsistency between this statement and the fact. Now, there was really no inconsistency whatever. When this inquiry was made the Earl of Derby stated what was precisely the fact—namely, that the Government had not entered into any contract with the Galway Company, although a proposition on the subject was under their consideration. Although he (Mr. Disraeli) believed that on the same day a Treasury minute was agreed to, announcing that the Government were prepared to enter into a contract, that minute intimated at the same time that its adoption was subject to certain conditions being agreed to and fulfilled by the company, and weeks elapsed before those conditions were ascertained and settled. There was, therefore, no inconsistency between the language of the minute and the statement of his noble Friend. He thought it was due to the Earl of Derby that he should make this explanation, and he regretted that the course taken by the right hon. Member for Kilmarnock limited to this point for the present his vindication of the Government. He could only repeat for himself and his late colleagues that they would be perfectly prepared to vindicate the course they had pursued if the right hon. Gentleman would bring the subject of the Galway contract specifically under the consideration of the House, and he entertained the utmost confidence that their conduct would receive the approval of Parliament.

Mr. RICH said, that this question of contracts having been raised, he wished to bring under the notice of the House the proceedings of the Government with regard to another contract, similar in character to that referred to by the right hon. Member for Kilmarnock (Mr. Bouverie). The right hon. Gentleman opposite (Mr. Disraeli) had complained that the right hon. Member for Kilmarnock had introduced this subject without due notice; but if he had brought forward the case of the Galway contract after the whole question had been referred to a Select Committee, the right hon. Member for Bucks would at once have said, "This is a matter which is now under the consideration of a Committee, you should have brought it forward when the Committee was moved for." Now this was precisely what his right hon. Friend has done, and what he himself should now do also. For he (Mr. Rich) would call attention to the case of the Dovor contract. In the year 1854, he believed, a contract was entered into for the conveyance of mails from Dovor to the Continent. In 1855, the contractor asked for some additional conveniences, and the Government, on their part, asked for a reduction of the rate of the contract. The result was that there was no reduction in the amount of the contract, and the indulgences which the contractor required were not granted, but there was a slight extension of the period over which the contract was to extend. In June 1857, the contractor again applied for certain indulgences, and the answer was that in 1855 the whole matter had been investigated and settled. The question remained in this state until January, 1859, when the late Government had been in office nearly a year. An application was then made by the contractor to the Admiralty, who received it rather favourably, and sent it to the Treasury. It was referred by the Treasury to the Post Office, who pointed out certain objections, but after some discussion it was agreed that the extra services the contractor contended he had been obliged to perform, in consequence of increased communication with India, should receive certain additional compensation, and accordingly a Treasury minute of the 3rd of February ordered that a special agreement should be entered into for that purpose. But the Admiralty, instead of obeying this minute, opened on the 11th of February a general communication with the contractor, in consequence of which he sent in proposals for re-opening the contract, and extending its term. The Admiralty again reported favourably to the Treasury on this very questionable proposal. The Treasury having referred the matter to the Post Office, the latter reported that the arrangement was wholly objectionable both in principle and practice. This condemnatory report from the department most cognizant of the matter was dated the 10th of March, and nothing more was heard. But in six weeks' time the aspect of affairs changed in that House, and accordingly on the 15th of April the Treasury, disregarding their minute of the 3rd of February, and the Post Office protest of the 10th of March, proceeded without rhyme or reason to grant all the contractor's demands. And what were they? Why, that he should receive an additional subvention of £2,500 a year, and that his contract, which would have expired in 1863, should be extended to 1870. That is to say that a contract, which had been running for four years, and which had yet four years to run, should, in order to add seven years more to it actually be cancelled by a Government which its own chief had declared was in suspense, was as an officer under arrest. And cancelled in favour of whom? In favour of a contractor, who had in 1853 been mixed up with very questionable electioneering proceedings at Devonport, and who was now at Dovor changing his political creed from opposing to supporting this very Government which was thus opportunely giving way to his demands. And by whom were these proceedings especially promoted? By the Admiralty, that at this very time was endeavouring to coerce a Member of its own Board into standing for Dovor; and, moreover, an Admiralty against whose conduct, in regard to this Dovor election, a petition was now waiting for investigation. And what were the reasons assigned for making these concessions? First, that the contractor had years before bought some old vessels from the Government; second, that while he had carried the mails he had lost two vessels, and had three collisions; and, third, that comparing the existing arrangement with the old exploded system which it had superseded, there was a saving upon this line of several thousands per annum to the country. This heaping together a pack of bad reasons for entering into the contract was a clear indication that there was no good reason for it; no reason that could stand the daylight. He would beg the House to remark the dates of the Carnagie coercion, of the Dovor election, and of the contract, whose terms were refused in 1857 by the then Government; and in the beginning of this year were tantamount to refused by the late Government. [Mr. DISRAELI was understood to dissent.] The right hon. Gentleman might shake his head, but there was the Treasury minute of the 3rd of February directing action in accordance with the existing contract, and the very last paper in that correspondence was the reply of the Postmaster General on the 10th of March, strongly pointing out his objections to the contractor's application for this uncalled for extension. To all appearances it was dead and buried till the 15th of April, when the dissolution of Parliament suddenly brought it to life. No intermediate communication on the subject appeared among the documents. The Dovor contract, then, and the one mentioned by the right hon. Member for Kilmarnock, stood upon special grounds; and what seemed to be the delinquencies of the late Government ought not to be cushioned and smothered by a general inquiry, which would probably last for one or even two years. He hoped it would be understood that these two contracts—the Dovor and the Galway contract—were to be entered into at the earliest moment by the Committee, and if the result was to clear the late Government of any imputation he should rejoice.

MR. LYGON said, the hon. Gentleman who spoke last had assumed, from the fact that no papers between the 10th of March and the 15th of April had been laid on the table relative to the Dovor contract, that the matter had entirely dropped; and he had led the House to infer that circumstances occurring about that time induced the late Government again to take up the negotiation. To that assertion or inference, whichever it might be, he now gave the most unqualified denial. Between March and April various details connected with this contract were brought under the attention of his department (the Admiralty) almost daily, although they did not assume a form which required them to be printed in the papers. The hon. Gentleman had accused the late Government of delinquency in having increased the money paid to the Dovor contractor. Now, when the matter was investigated, the contractor, instead of being a pecuniary gainer, gained nothing whatever beyond what was to be derived from the extended duration of his contract. The sum of £2,500, which had been alluded to, was paid to the contractor for various special services rendered at the instance of the Government; and though there was a trifling amount this year beyond that of last year for such services, yet the contractor had undertaken to make certain improvements in the conduct of the packet service which would be most advantageous to the public. These questions should be decided alone by the consideration of what was best for the public interest; and therefore the manner in which the service on the Dovor line had been conducted, and the additional exertions which the contractor had made to facilitate the enormous increase in our correspondence with India, were such as entirely to justify the extension of this contract. The absence of documents between the dates above named solely arose from the papers not then being in a form to be laid on the table; but during the whole of March the matter was constantly under the consideration of the Admiralty.

SIR MORTON PETO said, that a deep

feeling existed on the subject of these contracts in Canada. As an instance of the mode in which they were conducted he would mention that a deputation from that province, believing the proper Transatlantic route to be adopted was that of the St. Lawrence, applied to the Government some time ago to know whether it intended to renew the contract with the Cunard Company. The right hon. Member for Devonport (Mr. Wilson), speaking on behalf of the Government of the day, informed the deputation that it had no such intention. The province of Canada, acting under that impression, subsidized a line of their own for a weekly communication between Liverpool and the St. Lawrence at a cost of £100,000 ; and the people of that colony now complained that a practical injustice had been done them, and that something like a want of that perfect faith and good understanding which ought to subsist between them and the parent State had been shown towards them. When the Legislature of Canada met he had no doubt they would receive some strong protests on the subject.

Mr. M'MAHON said, he regretted to see so much of commercial jealousy towards Ireland imported into this discussion. It was not the fact that the Galway line of packets was the first that had been subsidized by the Government. Government subsidies had been granted for a long series of years to various steam-packet companies, and that not merely for postal purposes, but for the fostering of commerce and the production of large vessels. In fact, upwards of half a million of money, for which the Government received no return, was now yearly granted by the Government in those subsidies. At Liverpool alone the contract for the Cunard line had entailed a net loss of £61,642 a year, that is, beyond the amount of the contract. From the Report of the Committee on steam-packet contracts in 1853, (Appendix C) it appeared that these contracts—Halifax and new York, Bermuda and Newfoundland, and Bermuda and St. Thomas —together involved a net loss of £61,000 a year. To one of the companies running from Southampton to the West Indies we paid £270,000, involving a net loss of £180,000. To the Pacific mail we paid £25,000 for the mail running between Callao and Valparaiso ; and the loss was £19,509. Upon all these lines of communication, carried on by steam contracts, not by packets in Her Majesty's service, we lost £378,608 a year. Why, then, should not Ireland, which paid her share, and more than her share, of Imperial taxes, be allowed the small sum of £72,000 out of upwards of £600,000 granted in subsidies every year, as well as any of our Colonies, for the improvement of her commerce and the production of large vessels? What said the Postmaster-General in his Report for the year 1858 ? He said, "the packet service is for the most part under the superintendence of the Admiralty, and is borne on the expenditure of that department, many of the contracts for this service having been entered into with other objects besides those of postal communication. Indeed, as postal enterprises, few of them could be maintained, the expenses in the large majority of cases far exceeding the earnings." Long as these subsidies had been granted for the improvement of our colonies, the moment that anything was proposed to be given for the improvement of Ireland, up rose hon. Members to talk of the necessity of rigidly adhering to the true principles of political economy, and to denounce the proposition. He had no objection to the entire withdrawal of these grants in every instance, because, so far as related to communication with the West Indies, Newfoundland, Canada, or America, Ireland being nearer to those countries, could beat England any day. Galway had been selected by unbiassed judges as the best and most natural starting point for communication with America, and yet the late Government were denounced as having been influenced by corrupt motives for selecting that point. He thought the late Government were entitled to much credit for their courage and justice in that matter. He presumed that the Chancellor of the Exchequer was still true to his early principles of free trade, and that he desired the proposed inquiry to be guided by those principles. He trusted that if they were to have an inquiry into the Galway contract, they would also inquire into every one of the Government contracts with steam packet companies. He trusted, also, that some of the Irish Members would be placed on the proposed Committee.

Mr. BEAMISH said, that he did not approve the alteration suggested by the Chancellor of the Exchequer, and he should therefore move the re-insertion of the words "beyond the limits of the United Kingdom."

MR. URQUHART seconded the Amendment.

Amendment proposed, after the words "by sea," to insert the words "beyond the limits of the United Kingdom."

MR. WHITESIDE said, it was not his intention to speak to the exact form of the Motion, but to say a word or two upon the debate which had taken place. He was somewhat surprised that after the explosion of patriotic indignation right hon. Gentlemen on the Treasury Bench should have vanished. The right hon. Member for Kilmarnock, professing not to wish to prejudge the question, had said everything which a man ought not to have said and very little which he ought to have said. The right hon. Member for Coventry (Mr. Ellice) evidently preferred another line to that of Galway. He (Mr. Whiteside) was not a Galway man, but he knew that the imputations of those right hon. Gentlemen were unjust, and their arguments untenable, and he challenged the Government to a discussion of the question. He was strongly in favour of the Irish contract. It was true that it might be said the arrangement was for the benefit of Ireland. It would be argued upon that principle, and they had a right so to argue it. It was not a new question. It was now ten years since it was first agitated, at a meeting in Dublin in which he took part, and that was a complete answer to the statement of its being suddenly got up, as a job, by the late Government. The right hon. Member for Kilmarnock, as was his custom, assumed everything in his own fashion and then walked out of the House. He begged to ask what was the trade of the North of Ireland? Was it with France? A steamer from Belfast to export linens was tried, but so untaught were the French in our system of political economy that they immediately put a new duty on linens, and would not allow Frenchmen to have clean shirts cheap. Was it with Germany? No. The north of Ireland trade was with America, and, that being so, why were purchasers, bills, money, and advices to be carried past the market for which they were intended to this country, and then sent back again after a delay of a day or two? He wanted to know why Ireland was not to be put upon an equality with England in this respect. It was said that it was a special matter. The hon. Members for Cork and Limerick might, perhaps, prefer those ports, but with those exceptions there was scarcely a town, city, or county in Ireland which had not expressed a strong desire on national and postal grounds in favour of the arrangement which had been made. He would read an extract from the letter of a nobleman not now in the Ministry, and why he was not, of course he could not explain?

> "Since my attention has been directed to this important subject several years ago, I have always been of opinion that the advantages of the geographical position of Galway would not be fully recognized until it was demonstrated that the passage by that route to America could be more quickly performed than by any other. I heartily wish success to the company by which that fact is now established, and I beg to congratulate you upon your connection with an undertaking which promises to be so beneficial to Ireland."

That letter was signed "Clarendon." If the noble Lord the Member for Norwich (Viscount Bury) were in his place he could tell the Government how often great steamers passing down Channel had been lost. There was the *Great Britain*, which blundered in some way into Dundrum Bay; and he was present himself when a steamer, which was afterwards lost, passed Belfast. He did not like to name the vessel, because which of them it was he had forgotten. Captain Washington, whose report fully justified the late Government in the course which they took, understated the value of the Galway route. Captain Washington said that the problem of the quickest passage had been solved, and in the way in which it ought to be solved, by the enterprise of the Lever Transatlantic Company, which had actually run vessels with 300 passengers to and from Galway, and made the passage from Newfoundland by one of them in six days less than the shortest passage on record. It was a mistake to say 300 passengers. It was nearer 600. He would not appeal to political economists on the ground of humanity, but they had heard not long ago of the loss of a vessel from Liverpool, and of 300 bodies washed ashore at Wexford. Independently of the commercial advantages of the Galway line, there were great advantages in favour of a quick passage. It would accommodate in that way second and third class passengers, who would not otherwise obtain it, and it would also promote postal communication between two great countries. He saw that the animus of this debate was directed against a thing done in favour and for the benefit of Ireland; but on that very ground he challenged inquiry. If Ireland were not large enough to be entitled to some little consideration let the Government say so. Who were the persons who signed memorials to the Government in favour of the Galway line? The first name was N. Rothschild, the second C. Peabody, and the third, Masterman, Peters, and Co. The memorials were signed by the first mercantile men in London, by a vast number of underwriters at Lloyd's, by the principal merchants in Manchester, Birmingham, and other commercial towns in England, and by almost the whole of the commercial men in Ireland. The line of communication would be completed from north to west, and the upshot would be that linens would pass from Belfast to Galway, and thence to America, and would not go by way of Liverpool. The claim of Ireland was not made by way of solicitation, but as a matter of right, and he knew that discussion would prove it to be just, provided that it was not made by those who had made up their minds to condemn first and inquire afterwards.

Mr. COWPER said, that the right hon. and learned Gentleman had dealt unfairly with his right hon. Friend the Member for Kilmarnock. The right hon. Member for Kilmarnock had, in a very temperate manner—[*Cries of* "Oh!"]—well, no matter in what manner, whether temperate or not, the right hon. Member for Kilmarnock had quoted chapter and verse for everything which he had asserted. If the right hon. and learned Member had risen at once and answered the speech there would have been no ground for complaint, but he thought it rather hard on his right hon. Friend that the right hon. and learned Gentleman should wait two hours before making his reply, when, in consequence of the understanding that the matter would not be discussed, his right hon. Friend had left the House. He must also complain that the right hon. and learned Gentleman, instead of meeting the real case, had appealed to the patriotic feelings of Irishmen, and tried to represent it as a matter of jealousy between England and Ireland. He had not heard a word in the course of the debate which lent the slightest shadow of accuracy to such a view as that. So far from grudging, he was quite delighted that Ireland had a packet communication of its own. She had not had one before because no sufficient offer had been made to any Government to undertake it. The blame incurred by the late Government was not for adopting Galway as a packet harbour, but for establishing a duplicate line to North America and about the same time that they extended the Cunard contract. If they had wished to deal economically with the finances of the country, instead of extending the Cunard contract, they would have prepared to reduce it and to transfer some portion of the service to the new line from Galway to the United States. The Government were also censured because, while the Secretary to the Treasury had written a letter stating that it was the rule to proceed in these cases by public tenders, the principle thus enunciated was subsequently disregarded and a contract made, not only without any previous competition, but in a manner of which the Liverpool Company had good grounds of complaint. He did not object to the Galway line, because it was an Irish line. To make a charge of hostility to Ireland against those who sat on his (the Ministerial) side of the House was unjust in the extreme. The objection was only to the way in which the contract had been given, and that he hoped would be sifted by the Committee. In the case of the Dover contract, the Government had shown a similar disregard of the principle of competition, and by renewing the contract while it had four years to run had exposed themselves to suspicion and reproach.

Lord NAAS said, he was glad to find that the opinion of the right hon. Gentleman the Member for Kilmarnock, to the effect that the establishment of a direct line of communication between Ireland and America was a profligate waste of public money, did not seem to be shared in by the right hon. Gentleman who had just spoken. But what, let him ask, was the course which the late Government had adopted in the matter? They had found a company in Galway actually in possession of the ground, and performing a packet service for the first time between the West Coast of Ireland and America, Great benefit to trade had already occurred thereupon. A contract had been entered into with that company, on the part of the Government, subject to the approval of Parliament, and although it was true that the rule—which he admitted was a salutary one—of putting the line up to competition, had not been followed out, yet the Government had precedent for the course which they took, and that the rule in question was one of by no means an absolute character. The right hon. Member for Kilmarnock had laid great stress on the letter which had been written by Lord Colchester, in which strong objections had been urged against the proposed scheme; but Lord Colchester had stated distinctly that if it could be shown that a great public benefit, by acceleration of the mails, would arise from its being carried into execution he should waive those objections. That noble Lord said that in his opinion the only way in which the end in view could be attained was by making the amount of the remuneration of the contractors wholly dependent on their success. Well, then, that is the principle laid down by the Treasury minute, and the contract is framed on the principle that payment depends upon success; what, he would ask, had been the advantage, leaving Ireland altogether out of the question, which accrued to the postal communication, not only between London and America, but between America and the Continent, as the result of the practical application of that principle in the present instance? A Treasury minute had been issued, which took as a basis for the time to be occupied in the performance of the service, the average number of days which it took the Cunard steamers to accomplish it, deducting therefrom the number of hours which were spent in the transit of the mails from London to Liverpool and placing them on board the steamer, as well as making an additional deduction of twenty-four hours. The result was, that there would be a gain of something like thirty hours in each voyage, or, at the lowest calculation, fifty hours on the trip out and home. The whole question had been very carefully considered by the late Government, the undertaking had received the recommendation of the most eminent authorities, and he believed that when the promoters had an opportunity of setting their case before the Committee, they would be able to show that the scheme would confer great benefits not only on Ireland but on this country and on Europe at large. If direct telegraphic communication with America was not established, the comparative advantages of the Galway route over every other line would be still greater. Rival interests and commercial jealousy had a good deal to do with this opposition. In conclusion he would beg the House to recollect that of the large sums voted for postal services none went to any ocean steamers starting from Ireland.

MR. J. EWART begged to assure the House that there was not on the part of the people of Liverpool the slightest feeling of jealousy in the matter, inasmuch as they were well aware that whatever conferred a benefit on Ireland must tend also to their advantage. He had, however, felt it to be his duty to denounce the transaction under discussion from the very first, in consequence of the manner in which the contract had been made. He and his hon. Colleague had called on Mr. Hamilton, who was then Secretary to the Treasury, and all that they had asked was, that, if a postal service was to be established between England and Ireland, public tenders for its performance should be invited. They had added that the Liverpool Company possessed large steamers, and that they had conducted the postal service in which they had been engaged in a manner creditable not only to themselves but to England.

COLONEL DUNNE said, he was glad that the discussion had taken place, as he thought it well that Ireland should be made aware that the first act of the new Government was to endeavour to upset the only scheme for many years from which she had derived any considerable advantage. It was, however, said that Ireland had never sought that that advantage should be conferred upon her; but that was not the fact, for experiments had over and over again been made with a view to the establishment of such a service. It was, indeed, true that one Commission which had proceeded to the west coast of Ireland to examine its capabilities as presenting a suitable point for the formation of a packet station had concluded their labours by reporting in favour of Holyhead. But it was trifling with the question to say that the people of Ireland were indifferent with respect to it, and he trusted that if the proposed Committee were granted Irishmen would not be excluded from it as they were from the present Government.

SIR HENRY WILLOUGHBY said, he would remind the House that the question before them, which he thought had been for a time lost sight of, was whether it was expedient to appoint a Committee to investigate the manner in which these contracts were made and to consider the best mode of regulating these contracts in future. To him it was quite clear that a necessity had arisen for some inquiry. In the early part of the evening he called the attention of the House to the circumstance of the Lords' Amendments to the Red Sea and India Telegraph Company's Bill, which stood on the paper as a private Bill, though it involved a large outlay of public money, receiving the formal sanction of the House without scarcely attracting its attention. Though he had no objection to the Committee proposed by the Chancellor of the Exchequer, he submitted there was a simpler mode of meeting the evil it was intended to remedy, and that was to make it a condition of every grant of public money for the services in question that the proposal should be introduced to the House by a responsible Minister of the Crown, representing some department of the State, and made the subject of a public Bill. It was only in that way that the House could have any practical control over contracts of that kind. The system of making agreements between the head of a Government, and persons, however respectable, did to a certain degree fetter the judgment of the House, and he did think the proper remedy would be for the House to resolve that in no case whatever should there be a grant of public money unless by statute.

Sir FRANCIS BARING said, that without entering upon the question of the Galway contract he wished to call attention to the fact that in the Naval Estimates which were about to come under the consideration of the House, that a Vote was to be taken under a new contract, and to submit that if the House voted that money they would become parties to the contract. If, however, the Government proceeded with the contract it would be necessary to grant the money. He would, therefore, suggest that the Vote should be postponed until after the Committee had made their inquiry. He thought the appointment of the proposed Committee would result in great public benefit, for no man could deny that the present practice of dealing with those contracts was most irregular; and it was therefore incumbent on the House to declare the principle on which they were to be regulated in future. With this view he would suggest that a rule should be made requiring that all these contracts should be laid on the table, and not be valid unless they were unobjected to for a certain time after.

Mr. MAGUIRE said, he had expected that the Motion would have been agreed to as a matter of course, as nothing could be more fair or more prudent than the manner in which the Chancellor of the Exchequer had brought it forward; but he regretted to find that a right hon. Gentleman on the other side of the House, from one of the sister countries, carried away by national prejudice, had made an attack upon the late Government for giving encouragement to one of the most important of modern Irish enterprises. It was the habit in England to twit the Irish people with a want of energy and self-dependence; but now, when the people of Galway had displayed those qualities in an extraordinary and successful manner, so far from their receiving credit, an attempt was made by gentlemen in Liverpool and some parts of Scotland to make that circumstance the ground of local jealousies, and of complaint against the late Government for sanctioning the contract in question. He trusted that the present Government, led away by the whisperings of parties in Liverpool, or by a desire to inflict a blow upon their predecessors, would not be guility of an act of injustice towards Ireland which would justly incur the indignation of that country. For a long time past Irish Members had made demands upon the Imperial Government, and it would shortly be his duty to ask that a larger share of the taxes of the United Kingdom should be spent in Ireland than had hitherto been devoted to Irish objects. Many millions were annually expended upon foolish and unremunerative enterprises in England, while the great natural advantages of Ireland were neglected, and but for the late Government nothing would have been done to promote the Galway project. Galway was as much a part of the United Kingdom as Chatham, Portsmouth, or Liverpool, and he saw no reason why its harbour should not be made accessible to the largest ship in the Royal Navy. In Ireland the feeling was strongly in favour of the establishment of the line. He was himself an inhabitant of Cork, and he had naturally a strong feeling in its favour. He believed that the Cork harbour was the best in the world; but the success of the Lever undertaking had at least been attended with this benefit to Cork, that it had directed the attention of all parties engaged in Transatlantic communication to its unrivalled natural advantages. The Liverpool steamers now often called at Queenstown, and by that means several hours were saved in the conveyance of the mails between this country and America. But whatever might be his feelings in favour of his native city, he was anxious to give fair play to Galway, and he trusted that the industry and enterprise of its citizens would receive every encouragement from the House of Commons.

Lord JOHN BROWNE said he had heard with great pain from the right hon. Gentleman that the Galway contract was still in embryo. A sum of about £1,000,000 was annually voted by that House, not only for the conveyance of our foreign and colonial mails, but also to secure the maintenance in good working order of a certain number of first-class steam-ships, suitable to the conveyance of large bodies of troops with speed, with safety, and with due regard to their health and efficiency. England has hitherto enjoyed a monopoly of that grant, and it was not until Galway had been allowed to participate in the advantages of the system that it had become in any quarter the subject of the slightest animadversion. The Government had entered into a contract with the Cunard company, which excited no opposition, by which they bound themselves to make them an annual allowance of £173,000 for a period of eight or nine years; and yet the virtuous indignation of English patriotism now boiled over because a much smaller sum was to be given for the conveyance of a mail from an Irish port. Surely if England had all the rest of the trade, she need not be so greedy or so grasping as to grudge Ireland this one packet station to which her geographical position entitled her. Was Ireland to have only equality of taxation without equality of advantages? Last century they crushed the manufactures of Ireland; let them not now crush the rising mercantile enterprise of that country. Let the House look for a moment at the advantages offered by the ports of Liverpool and Galway. At Liverpool a Cunard steamer had been known to be detained outside the harbour for a period of eight or nine hours in consequence of the state of the tide. No such inconvenience could occur at Galway. There was a saving of between 300 and 400 miles of sea passage by adopting the Galway route; that space could not be traversed in less time than about a day and a half, and it was precisely in that portion of the voyage that there was the greatest risk of loss from shipwreck or collision. Although there was a greater amount of railway travelling by the Galway line, it ensured a saving of a day in the whole journey between England and America. It was moreover a fact that Irish letters formed a large proportion of the correspondence between this country and America, and the establishment of the Galway route was also attended with this important advantage, that it afforded great facilities for the conveyance of Irish emigrants to America. If the House were to annul either of the two contracts, why should they not select the Liverpool company for that extreme exercise of their power? The fairest mode of proceeding, however, as he believed, would be to allow both contracts to stand, and at their expiration to invite an unlimited competition from England, Ireland, and Scotland, for the conveyance of those mails. Mr. Lever was bound in the strictest terms to perform a certain service; some persons said he would be unable to fulfil his contract; but if that should be the case the loss would fall upon him; and if, upon the other hand, he should carry out his engagement, the voyage between these islands and America would be accomplished in six days, and the public would receive the benefit of his successful enterprize.

The CHANCELLOR of the EXCHEQUER said, that some points had been raised in the course of that discussion which he felt it his duty briefly to notice. An impression seemed to exist in the minds of some hon. Gentlemen that a portion at least of the English Members were jealous of Irish enterprise. But he was persuaded that no such feeling existed on the part of any of the Members of that House, and that from whatever part of the country they came they all gladly welcomed every indication of prosperity, either in England, in Ireland, or in Scotland. But the suspicion to which he referred was only one of the evils inseparable from the system of granting public subsidies of that description. The inevitable result of such a system was, along with other secondary disadvantages, the introduction of a painful rivalry and a conflict between the claims, or the supposed claims, of different parts of the kingdom. With regard to the order of proceeding in that Committee, he ventured to anticipate that in consequence of the obvious conclusion of the case, and with a full recognition of all the obligations, whatever they might be, the country had contracted, it would be expedient the Committee should inquire at a very early period into the Galway contract. The progress of the debate had clearly shown a general wish to that effect on both sides of the House, and after so much had been said both in condemnation and in defence of the transaction, it was eminently desirable that it should, without any unnecessary delay, be brought under the review of the Committee. At the same time he admitted the force of what had fallen from his right hon. Friend the Member for Portsmouth (Sir Francis Baring) with respect to the inexpediency of their making a grant for the Dovor contract until they should have received the opinion of the Committee upon that subject; and it would be well perhaps that the Committee should give their early, possibly even their first, attention to that limited case, and that his noble Friend the Secretary to the Admiralty (Lord Clarence Paget) should, in the meantime, postpone the Vote in the Estimates in respect of that contract if such a course could be adopted without inconvenience to the public service. His right hon. Friend the Member for Kerry (Mr. H. A. Herbert) had expressed an apprehension that the contract which had been entered into for the conveyance of the mails between Kingstown and Holyhead might be made one of the subjects of the inquiries of a Committee. But the Government had not the slightest intention of reopening that question, upon which a Committee of the House, after a full investigation, had already given its decision. The reason why he wished to include all sea contracts was because, as these contracts extended to long periods of years, and tended, therefore, to narrow, or even to exclude the jurisdiction of Parliament, the Government thought it desirable to refer them to the Committee to suggest what rules they might think necessary in concluding such contracts for the future. The object was to secure the rights of the House in these matters, and not in the slightest degree to reopen the question alluded to by his right hon. Friend. His hon. Friend the Member for Stamford (Sir Stafford Northcote) had suggested that the words of the Motion should be so extended as to include an inquiry into the principles upon which that service should be conducted; but it appeared to him (the Chancellor of the Exchequer) that such an alteration of the notice on the paper would be entirely unnecessary, as the proposed Committee would unquestionably have the power, under the Motion as it stood, of inquiring into that subject and all others of a kindred character. Another point to which he wished to allude was the course which the Government would pursue during the time the Committee would be prosecuting its inquiries. He could hardly suppose those inquiries would be brought to a close before the end of a few weeks, but he did not anticipate that they would extend over a number of years. Her Majesty's Government, however, were decidedly of opinion that during the time the House of Commons was investigating that subject, they ought, as far as possible, to hold their hands with reference to any new arrangement of that description, and that they ought not to sanction any contract for a new service unless under very urgent circumstances, or unless it was to be of a purely temporary character. He hoped the House would think that, in adopting that as their general rule of conduct, they would be taking the course which was most consistent with a due respect for the jurisdiction of the House, and which would not, at the same time, be likely to produce any serious injury to the public service.

Mr. BEAMISH said, that after the statement of the right hon. Gentleman he would not press his Amendment.

Amendment by leave *withdrawn.*

Main Question put and *agreed to.*

Select Committee *appointed.*

HIGHWAYS.

LEAVE. FIRST READING.

Sir GEORGE LEWIS said, he rose to move for leave to bring in a Bill to amend the laws relative to the management of Highways. He need scarcely remind the House that all roads which were not included in a local Turnpike Act, and not converted into turnpike roads, were repaired by parishes as Highways. For the purpose of maintaining them a surveyor was appointed, and the expense attending their repair was defrayed by a parochial tax called a highway rate. The subject, then, was one of no small importance. For the year ending March, 1855 (the last for which there were any Returns), the highway rate for England and Wales amounted to £1,881,000. The total receipts for the maintenance of Highways, including some sources of revenue besides the rate, amounted to £2,106,000, and the total expenditure in that year was £2,126,000. These figures showed that the interest concerned was one of great magnitude, while the object of the expenditure was one in which the community were also deeply interested. The whole of this expenditure was, with the exception of the six counties of South Wales, managed by single parishes without anything like a combined operation for a systematic management of districts. For some years past Bills had been introduced to that House with the view of establishing the principle of district management under the control of a surveyor who should not be wholly unpaid, as was now the case, but who should receive a stipend for his services. Only one of these Bills annually submitted to the House had received the sanction of Parliament—he meant that which related to the counties of South Wales. In those counties an Act had been in force for some years dividing the counties into districts for the maintenance of the Highways, on the principle embodied in the Bill which he now asked to introduce. He could state, from his personal knowledge and from information, that the operation of that Act had been most beneficial in South Wales; that it had not increased expenditure, while it had considerably increased the efficiency of the administration, and produced a better class of roads than before. The Bill he now asked to introduce was identical with that brought in last Parliament by the hon. Member for Leominster (Mr. Hardy), who was then Under Secretary for the Home Department. That Bill had been framed with great ability and judgment and was fully entitled to the approbation of the House, and had the advantage of being read a second time and going through one stage in Committee, when some amendments were introduced into it. He believed that he would best meet the views of the House by adopting that measure exactly as it was left by the last Parliament, and whatever credit, therefore, was due on account of the measure, it belonged entirely to the Member for Leominster. His own experience showed that if a district management, such as this Bill proposed, was introduced they would have a better and more efficient administration of the roads.

MR. DRUMMOND said, he had no doubt that the Bill would do all that the right hon. Gentleman said it would do—namely, greatly improve the roads of England, but at the same time he feared it would add enormously to the expense of parishes. There could be no doubt that the principal roads of England were tolerably well taken care of, but the cross roads and the parish roads were very ill taken care of. They all knew that there were a great many persons in every parish who were neither first-rate workmen nor labourers, and who must either be employed in some way or other or go into the union. These bad and weak hands were employed at inferior labour on the roads. But if they appointed a district surveyor he would employ the very best hands, and all the bad hands would be left without any means of employment whatever. Of course the farmers would not take them, and what then would be done with these people? It would be replied, let them go into the workhouse; but then the New Poor Law said that no man could go into the workhouse till he had parted with his cottage, his furniture, and all he possessed. He therefore wished to warn the House to take care that they did not by this measure impose additional burdens upon the ratepayers, and also add to the sufferings and misery of the Poor.

MR. HENLEY, said, he hoped that the right hon. Gentleman would content himself with bringing in his Bill, and allow the country to have an opportunity of considering its provisions between this and the next Session. He (Mr. Henley) had privately pressed his hon. Friend below him (Mr. Hardy), when he introduced his measure in the last Parliament, not to go on with it until the magistrates had an opportunity of considering it at the approaching Easter assizes. He need not say that a misfortune subsequently befell the last Parliament, and all the Bills went to the dogs or to somewhere else. The Midsummer assizes were now passed, and there would be no immediate means of communication afforded with the country as to the propriety of this Bill. He should be sorry to see such a Bill pass until it had been considered by the country, as it was one of great importance, particularly to the ratepayers in country districts.

MR. BARROW said, he also wished that the country should have an opportunity of seeing this Bill in order that the ratepayers, who would be mainly interested in the question, should have an opportunity of considering its merits. The Bill affected a serious principle in their legislation—namely, that of local self-government, which he viewed as the best part of our constitution.

MR. A. BRUCE observed, that the right hon. Baronet had informed the House that the provisions of this Bill would not be extended to the six southern counties of Wales. He should be glad to receive some assurance that either in the present or some future measure these acknowledged benefits would be extended to those counties.

MR. HARDY said, he should ill repay the complimentary language of the right hon. Gentleman with regard to the Bill of last Session if he did not offer him his cordial support in bringing forward the present measure and passing it into a law during the present Session. The country had had a full opportunity of seeing the Bill of the late Government. The public took the greatest interest in this question, and the drawers of his office were full of the letters he had received on the subject. The Bill went out of print—he was afraid to say how many times—from the number of applications made in that House; and every Member could testify to the desire to possess the Bill in the country. From the year 1849 this question had been before the country. The principle of his Bill was that districts should be formed for the administration of highways; but whether those districts should be polling divisions or union divisions he left to be settled by the magistrates. The measure was therefore not one to take away local government, but to improve it. Parishes were to be brought in union, and they would all be represented as at the Board of Guardians for the relief of the poor. He had received several communications from chairmen of quarter sessions in favour of the Bill of last Session, and, with few exceptions, the letters he received were in approval of the measure. It passed a second reading without a division, and the House might, he thought, be fairly called upon to consider the Bill without delay. When the right hon. Gentleman went into Committee he should do his best to expedite the Bill.

MR. PHILIPPS said, that the farmers were apt to grumble when roads which had been abandoned were revived, and they were made to pay for their repair. He therefore would be pleased to see some principle laid down by which the requisites which constituted a highway could be more readily determined than at present. They must be careful that the provisions of the measure did not cause irritation, but he should not object to its introduction.

MR. HADFIELD said, he should be glad to know whether there would not be some reservation of the powers of Highway Boards as they existed in corporate towns. He believed that these Boards had worked very satisfactorily, and he should be sorry to see them interfered with.

SIR GEORGE LEWIS said, there was a clause in the Bill giving power to town-councils of boroughs to assume the powers given to Highway Boards, if they thought fit. He agreed with the hon. Member for Leominster that this Bill had received full attention in the late Parliament. In the case adverted to by the hon. Member for West Surrey (Mr. Drummond) the highway rate appeared to be employed as subsidiary to the poor-rate. It was a question whether that was not an abuse. The object of the Highway rate was to repair the roads in the most economical manner, and it was a perversion to consider it as a rate in aid to the poor-rate. The Bill, however, would not interfere with the local government and management of the Highway rate, only instead of the highways being managed by single parishes they would be administered by groups of parishes. The Bill would not in any way interfere with the local management of Highways.

Leave given.

Bill for the better Management of Highways *ordered* to be brought in by Sir GEORGE LEWIS and Mr. CLIVE.

Bill *presented* and read 1°; to be read 2° on Wednesday, 20th July.

MILITARY ORGANIZATION COMMITTEE.

COLONEL DICKSON said, that in the absence of Colonel North, he rose to move that Colonel Lindsay be added to the Committee upon Military Organization, and that the Committee should consist of sixteen Members.

MR. S. HERBERT said, he had no objection to Colonel Lindsay being placed upon the Committee, but there was no necessity to increase the number of Members. He had received a communication from the noble Lord the Member for the East Riding of York to the effect that he would be unable to attend the Committee. He would therefore propose that Colonel Lindsay be substituted for Lord Hotham.

Motion *withdrawn.*

Lord HOTHAM discharged from further attendance on the Select Committee on Military Organization;

Colonel LINDSAY added to the Committee.

METROPOLITAN CARRIAGE-WAYS.

LEAVE.

MR. COWPER said, he rose to move for leave to bring in a Bill to restrict the erection of permanent structures in the carriage-ways of the metropolis. The subject with which he proposed to deal might appear trivial, but as residents in the metropolis it was one in which they must all feel an interest. The country had been frequently entertained with apprehensions of a French invasion, which it was feared we should not be able to meet; but the fact was that a French descent had really taken place to which he desired to draw the attention of the House. A certain French company had come over to London, and had taken up a position in the chief thoroughfares and most crowded streets of the metropolis. They had already commenced operations at Hyde Park corner, where they had broken up the pavement and begun a very remarkable, strange, and uncouth edifice which had excited a great deal of attention. One hon. Member of the House thought that edifice an ornament, but every other human being he had heard express an opinion repudiated it as a disfigurement. Hon. Members who had not seen it, might approach the conception of it by thinking first of an Egyptian obelisk, then of a Chinese pagoda, or a kitchen clock from the Alhambra, then of a piece of confectionary ginger-bread, sugared and gilded, and finally of a magic watchbox in a Christmas pantomime, which at the touch of harlequin's wand will open and exhibit a fairy glittering in spangles. If this were the only structure of the sort, probably it would not be necessary to trouble the House, but it was stated that the company intended to erect similar columns at Chelsea Bridge and 100 other places, with the permission of the vestries. The excuse offered for those structures was, that in decorating London they gave information to the public, such as the nearest police station, the time of day, the day of the month, the direction of the wind; but the object was profitable advertisements, about an anatomical museum, the hour at which Cremorne opened, the place where a *soirée dansante* was held, and the residence of Dr. Eady. Supposing that information to be useful, the middle of a crowded carriage-way, where those who stopped to read would incur a great risk of being run over, was not the fittest place to publish it. The parish vestries had not protected us from these vulgar and tawdry erections; they were well fitted to administer rates and to direct the paving and lighting of the streets, but could not be expected to act as guardians of the public taste. It was said that any individual could indict the company for establishing a nuisance; but who would come forward? and Barnum's experience showed that the payment of a fine and the continuance of a nuisance might be the best mode of advertising. The rage for advertising was spreading so rapidly that if placards could occupy the middle of the streets as well as the walls, the streets would be obstructed and the town disfigured. He proposed to introduce a Bill giving to the First Commissioner of Works a veto upon the erection of any structure such as he complained of on the carriage-ways of the metropolis. There was a precedent for such a provision in the Act of 1854, which forbade the erection of any statue in public places without the consent of the First Commissioner. He would not interfere with the vestries in the expenditure of the rates, or in their proper business, but in such a matter as this it would be better to trust to the action of a minister responsible to this House, and bound to disregard private interests. In point of principle it was abominable that these advertising companies should farm out and obstruct the public streets and thoroughfares for their own profit. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Motion made, and Question put,—

"That leave be given to bring in a Bill to restrict the erection of permanent structures in the Carriage-ways of the Metropolis."

The House *divided*:—Ayes 165; Noes 46: Majority 119.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. COWPER, and Mr. PULLER.

ADULTERATION OF FOOD, &c., PREVENTION BILL.

SECOND READING.

Order for Second Reading read.

MR. SCHOLEFIELD said, he rose to move the second reading of this Bill, the main object of which was to afford protection to the poor against being imposed on in the purchase of adulterated articles, by empowering local bodies to employ paid analysts. He did not know that it was to be opposed, but if it were now read a second time, anything objectionable contained in it might be remedied.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. HARDY said, he rose to move as an Amendment, that the Bill be read a second time that day three months. He had carefully looked into the Bill, and in his opinion it was wholly unfit for its purpose and not one which that House was likely to pass. If it became law, it would establish a very objectionable system of informing and spying in respect of articles of food sold in this country, of bringing persons unnecessarily before magistrates, and of causing very great annoyance, for which there was no ground whatever. It was not an advantageous proceeding to treat the people of this country like children, which they would be doing if they assumed a task for which Parliament was incompetent—namely, that of interfering with the ingredients of general food, and thus lead the people to depend upon Parliament instead of on themselves. Such articles of bad food as putrid fish or things of that kind, any one could discover for himself, and if any dealer sold an improper mixture, the party to whom it was sold had his remedy by an indictment or action. The Bill proposed by his hon. Friend the Member for Birmingham (Mr. Scholefield) would place a very arbitrary power in the hands of persons who in some cases might be interested in giving annoyance to others. He therefore asked the House to pause before they sanctioned such provisions as were contained in the second clause of this Bill, which empowered the town councils of every municipal borough to appoint one or more persons possessing competent medical, chemical, and microscopical knowledge as analysts of all articles of food and drink, and which would lead to continual controversies between the analysts so appointed and all the other chemists in every town. He thought, however, that the fifth clause was almost calculated to cause as much amusement as the House derived from the Bill introduced some time ago for the prevention of cruelty to animals, for that clause provided that—

> "It shall be lawful for the Privy Council from time to time to cause such analyses to be made, and to make such rules and instructions as the said Privy Council may think fit for regulating the use of any material or ingredient distinct from the natural composition of any article of food or drink with which it may be mixed."

That clause seemed to him to interfere with every kitchen. He did not know whether the Privy Council would not, under it, have power to lay down what proportion of water a man might put in his grog. He could not let such a Bill pass *sub silentio.* When an hon. Member proposed to the House to read a Bill a second time, he ought to be prepared to show that its principle was a good one—that it was at least such an outline as could be filled up in Committee and thus made a good Bill. As that was not the case with the Bill of his hon. Friend, he should move that it be read a second time that day three months.

Mr. CRAWFORD seconded the Amendment.

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Mr. COWPER said, he hoped the House would not refuse a second reading to the Bill. Its object was to bring the enlightenment of science to bear on matters deeply affecting the interests of the people. Considering the frightful degree to which food was adulterated, and the amount of evil thereby created, it was high time some remedy was adopted; and, thinking the Bill adequate to that object, he should certainly vote for the second reading.

Lord ROBERT CECIL said, that the objection of his hon. Friend (Mr. Hardy) to the Bill rested mainly upon the fifth section, which, in fact, had nothing to do with the principle of the Bill, and for that matter might be left out altogether. Then his hon. Friend, with a vigour in favour of Free Trade not to be expected from him, said that the House would be stepping out of its province if it attempted to protect the poor man from having his food adulterated. But had they not had poison Bills before the House, and had not those Bills been read with universal assent? Yet they depended equally upon the principle of protecting the poor man. Had his hon. Friend forgotten the Bradford poisoning case? But, if his hon. Friend were correct in his position, there was no reason why the poor man should not have poison mixed with his lozenges. The fact was, that articles of prime necessity, such as tea and sugar, were adulterated to such an extent as materially to affect the health of an enormous portion of the population, and, the poor man being unable to protect himself, he contended that it was the duty of this House to step in and protect him.

Mr. WALTER was so convinced of the necessity for the Bill, that he should be extremely sorry if it were not permitted to go to a second reading. The practice of adulterating food in this country had become a universal evil, and was a national disgrace. There was, indeed, no country in Europe in which the system was carried to such an extent with impunity. In France, chiefly owing to the stringency of the law on this subject, bread and all the common articles of food could be bought in a state of much greater purity than in this country. The only article of food to be bought unadulterated in a grocer's shop was, he believed, an egg, and that was simply because there was no means of introducing into it deleterious ingredients. In his opinion some means must be found of applying to the quality of food some such regulations as were already enforced with regard to its quantity. If inspectors of weights and measures were employed to protect the poor from being cheated in respect of quantity, why should not some means be taken to afford them protection in respect of quality? He hoped, therefore, that the House would assent to the second reading of the Bill.

MR. BRADY said, he was of opinion that if the House rejected the Bill they would perpetuate a great evil. Why, he would ask, had the question come before them at all? Simply because a great injustice was being done to the poor, and the people were actually being poisoned in many instances; a state of things which had induced the House to grant a Committee to inquire into the subject; and if they now refused to take the Bill into consideration the appointment of that Committee would be regarded as a mere mockery. It was absolutely necessary that some measure should pass. Adulteration was carried on to a frightful extent. There was scarcely an article of food on the table of rich or poor that was not adulterated; and he must say that he felt surprised that a gentleman like the hon. Member for the City of London (Mr. Crawford), the representative of a vast trading community, should be a party to the opposition to this Bill. He hoped, then, that the House would take it into consideration for the sake of the poor, who were daily and hourly not only robbed, but poisoned, by the retail tradesmen of the country. The details of the measure might not be perfect, but they could be considered and altered when requisite in Committee.

MR. E. JAMES said, he was extremely glad that the hon. Gentleman who had just sat down had postponed his leave of absence, since he had raised his voice in favour of this measure. It certainly was one to which no honest tradesman could object. Its principle was perfectly correct, and it would confer great benefit on the poorer classes. He could scarcely think the hon. Member for Leominster was serious in contending that if the poor man, instead of getting a pennyworth of coffee got half of it in chicory, he had his remedy by indicting the retail dealer.

MR. CRAWFORD said, he opposed the Bill for the reasons which had been so well stated by the hon. Member for Leominster. His objection was not to its principle, but simply to the means by which it was proposed to carry out that principle, which would lead to infinitely greater evils than the Bill was designed or intended to cure.

SIR GEORGE LEWIS said, he thought that every hon. Member would concur in approving the principle of the Bill. Any such measure emanating from the hon. Member for Birmingham came recommended from a good source; but after carefully examining its clauses, with the sincere desire, if possible, to accede to them, he could not but think that his hon. Friend had on this occasion allowed himself to be misled by evil counsel. His (Sir George Lewis's) objection to the Bill was the extreme vagueness and generality of the provisions it contained, and the absolute impossibility of any magistrate bringing a clear criterion or rule of interpretation to bear upon them. The Bill proposed to create two descriptions of offence. The first was, that every person who should sell, or expose to sale, any article of food or drink in which, in the knowledge of such person, any ingredient or material calculated to injure health had been mixed, should be subjected to a penalty not exceeding so many pounds, and not less than so many shillings. Now, it so happened that various opinions prevailed with regard to what was injurious to health. For example, a certain school of physicians and members of temperance societies held that alcohol, used to whatever extent, was injurious to health; so that if it were mixed with any article of drink, say water, he apprehended that, according to this doctrine, it would be an offence falling within the provisions of this Bill. The second offence was, that every person who should sell or expose to sale as pure and unadulterated any article of food or drink which in the knowledge of such person was adulterated and not pure, should be subjected to such and such a penalty. It did not say that the article was to be deleterious to health. It merely said some article that was foreign to that with which it was mixed. He apprehended, therefore, that if a person sold coffee with which he had mixed chicory, that, too, would be a case of adulteration which would fall within the provisions of the Bill. Then the machinery of the Bill, might be described as equally cumbrous, expensive, and ineffective. Unwholesome meat had been referred to. But the sale of unwholesome meat would not be an offence under the Bill, therefore, though such meat would be prejudicial to health the sale would not be an offence under this Bill. Taking all these things into consideration, he thought no practical benefit would result from the measure, and he should therefore advise the House to negative the Motion.

Mr. DEEDES said, that any one attempting to legislate upon this subject would find himself surrounded by such difficulties as those just pointed out by the right hon. Gentleman (Sir George Lewis), but that was no reason why it should be said that no legislation was required. It only showed the advisability of not entering too much into detail in preparing a measure the object of which was to prevent the evil complained of. It was matter of common knowledge that the evil existed, and that the strong arm of the law was necessary to its eradication. He was inclined to think that the hon. Promoter had been led too far into the intricacies of the question, but the House was considering the principle of the Bill, not its detail; that would be dealt with in Committee. He was prepared to affirm the principle and thus to satisfy the country that they were prepared to try and devise some means by which effect could be given to it. And even if, in Committee, every clause but the first were struck out that clause enunciating the principle that if anybody sold anything that was injurious to health he should be subject to certain penalties, he was of opinion that an important piece of legislation would be effected. He therefore hoped that the House would not throw out the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 227; Noes 103: Majority 124.

Main Question put, and *agreed to*.

Bill read 2°, and *committed* for *Wednesday* 20th July.

ROMAN CATHOLIC RELIEF ACT AMENDMENT BILL.

SECOND READING. DEBATE ADJOURNED.

Order for Second Reading read.

Motion made and Question proposed—"That the Bill be now read a second time."

Sir George Lewis

Mr. SOTHERON ESTCOURT said, the Bill was not put into the hands of hon. Members till that morning, and he would therefore suggest that the debate be adjourned until any day in the next week that the right hon. Baronet might name. This would give them a few more days to look at it, and to examine what would be its effect upon the existing statute, as well as to ascertain the opinion of people in Ireland with respect to it.

Mr. Serjeant PIGOT said, he also hoped the House would pause for a few days, the question being one of very considerable importance.

Mr. W. MILES said, it seemed that the present Liberal Members of the House imagined that such a Bill as this was of no importance to the country, for the right hon. Baronet, (Sir W. Somerville) without saying a single word as to its principles, moved that it be read a second time. This Bill would overthrow a settlement that was made long since. He begged to remind the Liberal Members on the opposite side of the House that in the liberty of this country was a great deal of Protestantism, and that before the House was asked to agree to this Bill the object of its authors should be distinctly explained. He hoped the right hon. Baronet would accede to the suggestion of his right hon. Friend the Member for Wiltshire, and permit the House to pause a little before it read the Bill a second time.

Viscount PALMERSTON said, he would suggest to his right hon. Friend that as the Bill was only printed this morning and was likely to excite considerable interest and lead to discussion, he should postpone the second reading. Perhaps he was the more entitled to make the request, because, as at present advised, it was his intention to support the Bill.

Sir WILLIAM SOMERVILLE observed, that it was difficult for a private Member to get an opportunity of bringing forward a Bill, and therefore he had intended to press the second reading that evening, but he could not resist the appeal made to him on both sides of the House, and he would therefore consent to adjourn the second reading to Tuesday next.

Mr. BOWYER said, he hoped the notice for the second reading of the Bill would be placed on the paper for Tuesday in such a position that it should have a fair chance of being brought on.

Debate *adjourned* till *Tuesday* next, 12th July.

ENDOWED SCHOOLS BILL.

DEBATE RESUMED. BILL COMMITTED.

Order read, for resuming adjourned Debate on Question [6th July], "That the Bill be committed to a Select Committee:"

Question again proposed.

Debate *resumed.*

Mr. NEWDEGATE said, that by referring the Bill to a Select Committee the House would be precluded from reconsidering its principle. It imposed a distinct disability on the Church of England, because it denied the right to hold property of this kind, no matter how long the possession. Lord Lyndhurst, four ex-Chancellors, and the late Sir W. Follett concurred in passing the Dissenters' Chapels Bill, whereby the Dissenting body acquired an indefeasible title from twenty-five years' possession. By this Bill the Church of England, of all religious bodies, would be debarred from pleading their title by possession. He thought that, instead of referring it to a Select Committee, it would be far better to refer the whole question, and not compromise a principle which he was certain the House did not intend to affirm. He must oppose the Motion, and he trusted the House would not leave itself under the imputation of having for the first time during some hundred years imposed a distinct disability on the Church of England.

Mr. HUBBARD said, he had listened to the whole debate of the previous day in the confident hope that he should hear some reasons which would at least give an appearance of plausibility to the proposition, but he had heard none. The importance of the measure was such as merited handling by the Government, but since the Bill originated with a private Member, he must express his regret that its previous endorsement by the learned Member for Wolverhampton should now invest it with the authoritative support of Her Majesty's Attorney General—and still more he must regret that Her Majesty's Ministers, for the major part, should apparently out of courtesy to their colleague have supported with their votes a measure which they condemned by their speeches. Something was said of the necessity of admitting Dissenters to a share in the advantage of Church schools. But he would remind the House that that proposition was one in its essence totally distinct from the proposition which was affirmed by the first clause. The proposition to share in the advantage of Church schools admitted the title of the Church to the schools, whereas the Bill immediately attacked the very legality of the tenure itself. The importance of the measure was said to be demonstrated by the number of petitions, but the weight of those petitions was much qualified by the circumstance, that many of them are attributable to the unfounded assertion of the promoters of the measure, who affirmed that the effect of the decision of the Court of Chancery in the Ilminster case was to declare that "Dissenters were not honest men." The decision really was, that, whether honest men or not, Dissenters were not qualified to act as trustees in the administration of the affairs of the Ilminster school. If the large number of those who signed petitions because they felt indignant at such a very aggressive opinion were excepted, there would still be a large proportion not unnaturally desirous of securing the benefit of endowments which were certainly not founded by their predecessors in religious opinions. For the House would not have failed to observe that all the petitions in favour of the Bill proceeded from Dissenters of some sort or another. The measure was an attack on every school held by possession as an endowed school of the Church of England. The interpretation of the language used by the founders, as rendered by the managers and constituting their title to the property, was assailed; but if conclusive evidence of its correctness were required it would be found in the very fact alleged by the Member for Swansea as a plea for legislation—namely, that every judicial decision, from the earliest to the latest, had confirmed the title of the Church of England to the schools under consideration. For years past large grants have been made for religious purposes, and he trusted the House would not be prepared to disavow the spirit of those grants, and by such a measure as this discourage the efforts of the Church of England in the cause of education. The contributions of members of the Church in the cause of education exceeded five times those of the Dissenters, and he therefore thought that the House ought not to agree to a measure which he could not but look upon as inimical to education. If the House were not prepared to undo all that the generous piety of our forefathers had effected, they would not proceed further with this Bill, which was an undisguised encouragement to an attempted if not successful spoliation of the Church.

MR. HARDY said, it appeared to him, from all that he had heard urged in favour of the Bill, that little more than a blank sheet of paper, so far as the subject of endowed schools was concerned, would be referred to the proposed Committee. It had been condemned by the Attorney General, whose name was placed on the back of it, as being insufficient to remedy the evils which it proposed to remove, and it was evident that its author did not quite understand his own case. Considering, however, that the Bill had passed its second reading, and that the expediency of inquiring into the subject had thus been sanctioned, he did not deem it advisable to oppose the Motion before the House. He should, however, reserve to himself the liberty of moving an instruction to the Committee when it was named, of the terms of which, in case he should move it, he should give due notice.

Question put, and *agreed to.*

Bill *committed* to a Select Committee.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Friday, July 8, 1859.

AFFAIRS OF ITALY.

NOTICE OF MOTION WITHDRAWN.

VISCOUNT STRATFORD DE REDCLIFFE, who had given notice of a Motion,

> "That an humble Address be presented to Her Majesty, expressing the Thanks of this House for Her Majesty's gracious Communication of the deeply important Correspondence on Italian Affairs presented recently to both Houses of Parliament by Her Majesty's Command; and gratefully acknowledging the unquestionable Evidence which that Correspondence affords of Her Majesty's earnest and impartial Endeavours to avert the Calamity of War:
>
> "That Her Majesty may be assured of the loyal Confidence with which this House relies on Her Majesty's Determination to maintain inviolate the Neutrality, as therein declared, of Her Majesty's dominions:
>
> "That, finally, it be represented to Her Majesty, as the Opinion of this House, That, while every suitable and vigorous Effort is made, under Her Majesty's Authority, for the Completion of our Defences on Sea and Land, the Operations of the belligerent Powers should be carefully observed, with a view in particular to such eventual Offers of Mediation on Her Majesty's Part as may contribute with due Effect to the early Conclusion of Peace on just and comprehensive Terms."

My Lords, I was prepared to redeem the pledge which I gave when I did myself the honour of announcing my intention to bring under your Lordships' deliberation the Correspondence which was graciously presented by Her Majesty's commands to both Houses of Parliament at the beginning of this Session. I was aware that I had undertaken a very considerable, not to say an arduous task. I was also aware that certain objections might be alleged against the course I intended to adopt. But on the whole I thought that arguments of sufficient cogency could be urged in its favour; and I made up my mind to incur some risk by persevering with the Motion, not doubting that your Lordships' discretion and judgment would counteract any tendency towards error upon my part, and that a fair balance of advantage would upon the whole result from a discussion of the points connected with this correspondence. It was my impression that if the opinions of independent Members of the Legislature, unfettered by the restraints of office, went forth to the country at large, with respect to our late negotiations, a most salutary effect might have been obtained in the event of those negotiations being renewed. But, my Lords, an event of great importance has come to the knowledge of the public this morning—an event which not only arrests at once an awful effusion of blood, and relieves the distressed feelings of every individual, I believe, in this country and on the continent of Europe — but which, as I devoutly hope, may terminate in that most desirable object, the conclusion of a peace. Under these circumstances your Lordships will probably agree with me that any immediate discussion in Parliament with reference to those negotiations might be productive of real inconvenience and disadvantage. I have consulted upon the subject Friends, whom and in whose judgment I place the greatest reliance, and they see the matter in the same light as I do, and would be glad that I should abandon the Motion for the present. When I use the term "abandon" I do not mean giving up the Motion without reserve, but leaving it for the present upon your Lordships' table, and reserving to myself the right of recurring to it at some later period, if the circumstances of Europe should make me think it would be advisable to adopt such a course. Having felt it my duty to state so much to your Lordships, I think it proper to take this opportunity of adding that the responsibility of the intended Motion, if I had persevered in it, would have been entirely my own. The Notice which I gave was not the result of any concert or consultation with any party upon either side of the House. In truth, my Lords, I am not sorry to have this opportunity of stating that I have no distinct connection with any party. There is no man more sensible than I am of the high ability, of the great personal qualifications of the noble Earl (the Earl of Derby)—I hope he will allow me, from past connections, to call him my noble Friend—the leader of the Opposition side of the House. I am deeply penetrated with a sense of his capacity for government; I am deeply penetrated, likewise, with a sense of the qualifications of many among those who support him; but my duty here is not to give way to personal feelings, but to form a fair and dispassionate judgment of the public interests; and if I take any active part in the proceedings of this House it will be in connection with those who, upon the whole, seem to challenge our confidence, and to whom I am ready to give my general support. In Her Majesty's present Government I cannot but recognize a combination of talent and of administrative experience which are well calculated, especially at this time, to command the respect of the country. I recognize in them likewise a Ministry which is in harmony with the constitutional requirements of the representative House of Parliament, and one which, upon the whole, is moving in the same line of foreign politics, if I understand their language correctly, with the noble Lords upon the other side of the House; and which, moreover, upon the great internal question of reform have entitled themselves to the credit of greater consistency, although I hope I may at the same time be allowed to say, that I do not think their claim is entirely without flaw in that respect. I must repeat, my Lords, that I think the removal of the immediate subject of my Motion renders its discussion at the present moment irrelevant and undesirable; but I cannot dismiss the question without expressing an earnest hope that if negotiations for peace are to be the result of the existing armistice, Her Majesty's Government will be found at their post, and that, if need be, they will claim their right to be associated in the final arrangement of matters. The interests of the world, after all, require that they should not in such a matter neglect their own interests and their own rights, resting hitherto on the observance of those existing treaties, which possess an European character. Whether I look at the treaties which have been placed in jeopardy by the recent occurrences, or at the position of Austria as an integral part of the balance of power in Europe, or at the great Mediterranean peninsula, which has from remote times been the site of a most glorious civilization, and which commands from so many individuals in this country, by reason at least of their education, a large amount of gratitude and affection—to whatever quarter of Europe I turn my eyes, I see reasons for earnestly desiring that Her Majesty's Government should take their proper place in the negotiations which may now be expected, and that they should endeavour to provide as far as possible for the security of those great interests which have been so severely compromised—I say it without reference to the conduct of the late Government—by the outbreak of the belligerents, and the sanguinary events of the war. Anxious to avoid whatever may bring the late negotiations under discussion, I abstain from every observation which might be thought to bear upon the character or conduct of those who were principally concerned in the management of those negotiations, either here or in other countries. No doubt we might, without much difficulty, find in those transactions much to censure, many objects of just anxiety, and some perhaps of apprehension; but I will not go into any part of the correspondence, lest I may inadvertently give occasion for the expression of opinions, leading by possibility, in so delicate and critical a conjuncture, to the production of serious inconvenience and embarrassment to the country. My Lords, I cannot entirely lose sight of the circumstances which preceded and accompanied the conclusion of those comprehensive treaties which, in spite of their errors and their deficiencies have, after all, mainly contributed to the maintenance of peace in Europe during a period of forty-five years. Nobody can have forgotten the perils and the sacrifices by which this country earned its right to take a part in the framing of those great international engagements; and although they have upon more than one occasion suffered no small disparagement—although they have, in the case of Belgium, undergone a signal alteration, sanctioned, however, by an agreement to which all the great Powers gave their assent—although in one case they have been set aside by national predilection for an excluded dynasty—although in the case of Poland and of Cracow they have suffered a most unjust and ominous violation, I cannot forget that after all they have not been, by general opinion, cast aside, but that on the contrary, they still survive for the most part, and are still the object of appeal to every Government in Europe. They are, in fact, the title-deeds of many an extensive territorial possession; they are emphatically those by which Sardinia herself now holds Genoa, as well as those by which the incumbency of Austria upon Italy was either established or restored; and moreover they have a still greater claim to our respect, inasmuch as they are the depositories and safeguards of those achievements in civilization which form, or were meant to form, an imperfect compensation for all that Europe had to endure in the early part of this century. They have made the abolition of slavery a part and parcel of the great European law, and they have consecrated the waters of the world, whether flowing through separate States or extending into the boundless ocean, to the uses of an unfettered and an almost unquestioned navigation. I sincerely hope, as I have already said, that the present armistice may lead to negotiations of a satisfactory character, and that the voice of England will not be put to silence in those negotiations. I trust that we shall never cease to feel how greatly our character depends upon the place which we occupy in the great European Council; I trust that——

LORD BROUGHAM: I put it to the noble Lord whether he is not doing the very thing which we all wish to avoid, and the fear of which has induced him to withdraw his Motion. Let the truce extend from the north of Italy to this House, and let us abstain altogether, for some weeks at least, from touching on the question of foreign policy.

VISCOUNT STRATFORD DE REDCLIFFE: Though I should be sorry if anything that fell from me were calculated to wound the conscience of my noble and learned Friend, I must take the liberty of saying that I think he has mistaken the drift of my observations.

LORD BROUGHAM said, that the natural effect of them would be to lead to a debate.

VISCOUNT STRATFORD DE REDCLIFFE: It certainly is not my intention to provoke a debate; but I should be slow to think that any serious injury would be done if the noble and learned Lord were now induced to make an addition to those numerous efforts of his eloquence which the House has so often listened to with attention and pleasure. But in truth, my Lords, I may have been led to say more than I intended in the outset. At all events I have accomplished my present object, in drawing the attention of your Lordships to the existing European treaties, and in expressing the hope that England will have her due place and influence in the negotiations for peace whenever those negotiations shall be opened in good earnest. Far be it from me to drop any word that might prove a source of embarrassment to Her Majesty's Government under such critical circumstances. I have indeed expressed a strong hope in general terms; but I have offered no opinion, I have not even tried to elicit the opinion of others, with respect to the line which Her Majesty's Government ought to take in any negotiations consequent on the existing armistice. I cannot sit down without acknowledging the kind indulgence with which your Lordships have received my remarks, and I now beg leave to withdraw the Motion on your Lordships' table, reserving only the power of renewing it at some future time.

THE MARQUESS OF NORMANBY, who was imperfectly heard, was understood to say that while he concurred in the reasons which induced the noble Lord to withdraw his Motion, yet, as the noble Lord in the course of his observations, had expressed confidence in the Government, and in the noble Lord at the head of the Government, to whom the conduct of these transactions was entrusted, he (the Marquess of Normanby) felt that he was bound, in justice to his own opinions, to reserve to himself a fitting opportunity at some future time to state the reasons why he could not concur in that opinion of confidence in the Government which the noble Lord expressed, and that he regretted that the accession of that noble Lord to office—which he deprecated on the first night of the Session—had taken place, and that the conduct of the negotiations for peace would now be placed in the hands of the noble Lord. Circumstances had since taken place which he believed it would be his duty to press upon their Lordships' attention, not with any idea that he possessed influence enough to alter their Lordships' opinion, but in order to justify himself for watching with scrupulous anxiety the line which the noble Lord would take in these negotiations. One word more. Though he concurred in opinion with the noble and learned Lord that their Lordships ought to abstain from all observations at present as to the state of affairs, yet he for one could not bind himself to the promise that he would not touch upon our foreign policy for the time the noble Lord and he suggested. He did not share the confident expectation of the noble Lord as to the result of this armistice. He rather hoped than trusted that it would lead to this happy result; but circumstances had come to his knowledge within the last few days in reference to a circular issued by the Foreign Minister of France, which warned him that it would be necessary, while watching the conduct of the foreign policy of this country, that they should also watch the policy of the Government of France. With regard to the armistice, he felt they must wait till they knew its terms before they could pronounce an opinion on it.

EARL GRANVILLE: On the part of Her Majesty's Government, and I may almost venture to say on the part of the whole House, I beg to thank my noble Friend behind me for the course he has taken in withdrawing the Motion which he had placed on your Lordships' table. Even before the intelligence we received this day, I certainly had misgivings as to the propriety of discussing that Motion at present. At the same time I perfectly admit that, when a noble Lord like my noble Friend behind me, one of the most eminent diplomatists of this country and of Europe, thinks that his place in this assembly gives him an opportunity of speaking upon a most important question bearing upon foreign affairs, it is both our wish and our duty to give him the opportunity. Whatever may be thought of the intelligence we have received this day, there cannot be the slightest doubt that though that message does not give conclusive proof that the blessed consummation of peace will be arrived at, yet it does give us this very satisfactory assurance, that the two Emperors of France and Austria feel the necessity of endeavouring to come to some arrangements which will prevent a further effusion of blood. I am perfectly sure that your Lordships would deprecate any act on our part, or any word from our lips which would in the slightest degree do mischief in the present circumstances of the case, and I therefore most thoroughly concur in, and at the same time offer my thanks to the noble Lord for the course which he has taken. I think your Lordships will feel that I am justified in not following the noble Lord throughout the speech which he has made, not only because in my opinion it would be indiscreet in the present crisis for any individual Member of the House to discuss this subject, but because it would be an absolute dereliction of duty on the part of any Members of Her Majesty's Government, as faithful servants of Her Majesty and of Her Crown, to take part in a discussion which could have no good effect, and which, I am quite sure, might create difficulties abroad, and place ourselves in a disadvantageous position when the time came for exercising that influence which I trust we shall be able to exercise in settling this great question in the most advantageous manner.

Order of the Day for Lords summoned, read, and *discharged.*

House adjourned at a quarter before
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 8, 1859.

MINUTES.] NEW MEMBER SWORN.—For Gloucester County (Western Division), Robert Nigel Fitzhardinge Kingscote, esq.

PUBLIC BILLS.—1° London Corporation; Judgments (Ireland).

2° High Sheriffs' Expenses.

ROMAN CATHOLIC MEMBERS' OATH.

QUESTION.

MR. MAGUIRE said, he wished to ask Whether it is intended to introduce, on the part of the Government, any measure for the repeal or modification of the Oath now taken by Catholic Members of Parliament; and, if so, when they will be prepared to lay such measure on the table?

MR. J. D. FITZGERALD said, it was not the intention of the Government to introduce any measure on the subject during the present Session of Parliament. He would remind the hon. Member that when a Bill on the subject was introduced last Session it met with great opposition. He only alluded to that circumstance to show how difficult it would be to deal with the question in the present Session. He might state that a measure would be unquestionably considered by the Government during the recess, and he had reason to expect that in the next Session a Bill for the modification of the Oath would be brought under the consideration of the House.

LAW OF LANDLORD AND TENANT (IRELAND.)—QUESTION.

Mr. BRADY said, he rose to ask the Government if it intends to introduce any measure this Session for the alteration of the laws which regulate the relations between Landlords and Tenants in Ireland, with the view of securing compensation to the latter for all substantial and permanent improvements made by them on their holdings.

Captain OSMONDE said, when the hon. and learned Attorney General for Ireland replied to that question he would perhaps be good enough to state whether the Government intended to introduce any measure for the reform of the Irish grand jury laws.

Mr. J. D. FITZGERALD said, it was not the intention of the Government during the present Session to introduce any measure for altering the laws regulating the relations between Landlords and Tenants in Ireland; but immediately after Parliament had risen the question would be taken into the anxious consideration of the Irish Government with the view to a settlement. He might add in answer to the question of the hon. and gallant Member, that it was not the intention of the Government to introduce any Bill relating to the Irish grand jury laws.

MEDICAL CHARITIES AMENDMENT ACT. QUESTION.

Mr. DAWSON said, he wished to ask the Chief Secretary for Ireland whether it is the intention of the Government to introduce a Medical Charities Amendment Act during the present Session; and, if so, when such a measure will be laid upon the table of the House.

Mr. CARDWELL said, the question was brought under the notice of the House not long ago, and he did not think it was not susceptible of a satisfactory settlement during the present Session of Parliament.

COASTING TRADE OF THE UNITED STATES.—QUESTION.

Mr. DIGBY SEYMOUR said, he rose to ask the Vice-President of the Board of Trade whether the American Government regard the trade by sea between New York and California as a coasting trade, when the goods are unshipped at Aspinwall and carried across the Isthmus of Panama to be reshipped for California; and, if so, whether it is proposed by Her Majesty's Government to address any remonstrance upon the subject to the Government at Washington? And also, whether since he had given notice of his question another cargo had not been seized, upon the ground of an infraction of the coasting trade of the United States.

Mr. WILSON said, he was sorry to say he was informed that the cargo of another British vessel, consisting of guano, had been seized upon its way from one port to another of the ports of the United States, which was an infraction of the treaty between the two countries. The question was one of great importance to the shipping interest, and, in the present depressed state of that interest, it devolved upon the House and the Government to take special care that the existing arrangements between the two countries were fairly carried out. It would be recollected that the understanding with the United States, which was embodied in a correspondence between the English Minister at Washington and the Secretary of State for the United States, was that the whole of the privileges conferred by the laws of Great Britain upon the ships of the United States should be conferred upon British ships by the United States, except as regarded the coasting trade. A very large and expansive meaning was attached by the United States to the term "coasting trade," for they made it include the trade from the east coast of America, from New York and New Orleans on one side, round Cape Horn to California on the other side of the continent. He did not, at the present moment, contend that they were not technically right in that interpretation, because by the law of 1817 the coasting trade was declared to be the trade from one port in the United States to another, so that if a vessel were chartered from one port of the United States to another in one continuous voyage, it might be contended, by an extreme application of the term, that it came under the definition of the "coasting trade." It was urged by the United States that a similar state of things prevailed in Europe, and that when a vessel made a voyage from Havre to Marseilles, although a part of Portugal and Spain intervened, yet that she was engaged in the coasting trade. It was therefore contended that the question was one of degree and not of principle. Admitting this, he must say that to construe as coming within the definition of the coasting trade a cargo sent from New York or New Orleans to Aspinwall, unshipped there, carried across the Isthmus, reshipped on the other side, and sent to California would be, both technically and in spirit, incorrect. That was, however, the general representation of the shipowners. In consequence of the representations made to the Board of Trade, they had applied to the British Consul at San Francisco, who now happened to be in this country. As at present advised, he should be disposed to say that the English shipowners were under a mistake, and that it could not, even by the laws of the United States, be construed as a coasting trade if goods from one port in the United States were landed on one side of the Isthmus, conveyed to the other, and reshipped to California. However, in order that no mistake should arise, and as by the increased facilities of communication across the Isthmus it was probable that almost all the shipments for California would be conveyed across the Isthmus, it became a matter of the greatest importance to come to an understanding on the point. The Board of Trade had therefore called the attention of Lord Lyons to the subject, with the intention of obtaining a satisfactory settlement of this question.

POSTAL SERVICE FROM ENGLAND TO AUSTRALIA.

QUESTION.

CAPTAIN **DANIEL O'CONNELL** said, he wished to ask Mr. Chancellor of the Exchequer if he intends to refer the proposed line of postal service from England to Australia, *viâ* Panama, for which tenders have recently been invited and received, to the Select Committee for which he moved on Thursday, the 7th instant?

THE **CHANCELLOR** OF THE **EXCHEQUER** said, that he had not intended to make that reference, but if the tenders to which the hon. Gentleman referred had been sent in, they would be within the scope of the reference of the Committee, and it would be within the province of the Committee to examine that and other lines and tenders.

THE FINANCIAL STATEMENT.

QUESTION.

MR. **T. DUNCOMBE**: Will the Chancellor of the Exchequer allow me to ask a question on a subject of great interest,—namely, when he will be likely to make his financial statement to the House, and whether he can name a day for so doing?

THE **CHANCELLOR** OF THE **EXCHEQUER**: I am very much obliged to the hon. Gentleman for giving me the opportunity of referring to this subject, since it is one in which the public convenience is very much involved, and my answer to which will depend upon what I may term the forbearance and self-denial of hon. Members, rather than upon the will of the Government. It is the salutary, judicious, and almost invariable rule of the House not to enter upon questions of Ways and Means until the House has passed its judgment upon those items of the expenditure of the year which are at once the greatest and most variable—namely, the Naval and Military Estimates; and my answer to the first question is that it is my intention to submit the financial statement to the House as soon as the Naval and Military Estimates have passed through Committee. If the hon. Member asks when that will be, I must reply by asking another question—how much time will be taken up by those hon. Members who have Motions of their own before going into Committee of Supply. The time might be readily calculated if it depended solely upon the statements made in bringing forward the Naval and Military Estimates, but that calculation might be fatally disturbed if upon successive evenings discussions should be interposed which occupy the greater part of the night. Without in the least wishing to interfere with the discretion of hon. Gentlemen, I must be allowed to point out that the period of the year is now very late, and that very great anxiety is felt by those engaged in the commerce of the country to know what arrangements may be proposed by the Government and adopted by the House with respect to the duty of providing means for meeting the demands of the year. Upon the other hand, I may remind hon. Members that upon the Miscellaneous Estimates, which must occupy many nights of the time of the House after the financial statement is made, there will be many opportunities of bringing forward any questions which they may have to urge as an Amendment to the Speaker leaving the chair. I am quite sure it will be for the convenience of the House if hon. Members will waive, so far as they can, these questions until the Military and Naval Estimates have been voted in Committee of Supply, so that the financial statement may be submitted to the House. I can only say the financial statement will be submitted immediately after these Estimates have been agreed to.

ROMAN CATHOLIC CHARITIES.

QUESTION.

MR. KINNAIRD said, he wished to ask the Secretary of State for the Home Department on what plea the Government has postponed the introduction of a Bill (promised so far back as 1853) to place Roman Catholic charities under the superintendence of the Charity Commissioners, from whose control they were now especially exempt; and what course they propose to adopt regarding them?

SIR GEORGE LEWIS said, he was unable to give the reasons why the Bill in question was postponed last year or in the first Session of the present Parliament. The present Government, during their short period of office, had not had it in their power to propose any measure on this subject. The question was, however, under their consideration, and it was their desire to propose a measure to cure the defects which were admitted to exist, and which were now met by an annual Act of Parliament. If it were impossible to carry a permanent measure during the present Session, he should be compelled to propose a renewal of the annual Bill.

On the Motion, "That the House at its rising do adjourn until *Monday*,"

AFFAIRS OF ITALY.—THE ARMISTICE.

MR. WALPOLE: I rise, Sir, to ask the noble Lord the Secretary of State for Foreign Affairs a question on a subject of very great interest, whether he has received any official intimation of an armistice which is said to have been agreed on between France and Austria?

LORD JOHN RUSSELL: The only information I have is in substance the same as that which appeared in the *Moniteur* of yesterday—that an armistice has been made between the Emperor of the French and the Emperor of Austria. I have no further information on the subject.

The Chancellor of the Exchequer

THE BALLOT.—OBSERVATIONS.

MR. H. BERKELEY said, it had been his custom to bring forward the question of the Ballot shortly after the assembling of a new Parliament, and he now wished to state the reasons why he did not propose to follow that course at present. He had taken counsel with those hon. Gentlemen who had supported him on this question, who represented the great majority of the Liberal party, and he might add the majority of those hon. Gentlemen who had taken office under the present Government. They considered that there were reasons why this question should not be brought forward during the present Session. The Ballot had been twice before the House during the present year, having been once brought forward unadvisedly, as he thought, after a long debate, and in the middle of the night, and a second time when a full and free discussion took place—a debate remarkable in the annals of the Ballot for the brilliant and argumentative speech made by Her Majesty's Attorney General. Another strong reason for postponing the question of the Ballot during the present Session was, that a vast mass of evidence would be laid before the Election Committees which were about to sit, and then would be made manifest the state of profligacy into which some constituencies had been plunged by the late contest, when great efforts were made by both factions, which, as he believed, used the most unlawful means to obtain their object. With respect to the question of the Ballot in connection with any measure of Reform that might be brought forward by the Government, it was not his intention, or that of his Friends, to place the Ballot in direct antagonism with any well-considered Bill for extending the liberties of the subject and their political rights. It was not his wish to bring forward the Ballot in any factious spirit against the Government, but he was of opinion, and in that opinion he was backed by a large portion of the Liberal party, that no measure of Reform could be final, or even satisfactory to the electors of Great Britain and Ireland, which did not give them the protection of the Ballot at the hustings. He proposed to bring forward the question at the earliest period in the next Session. In the meantime he trusted it would not go forth to the country that he had deserted this great question, which he considered so highly important that it was his intention to press it forward so long as he had health, strength, and a seat in the House.

REGISTRATION OF CROWN SECURITIES. QUESTION.

MR. HODGKINSON said, he rose to call the attention of the House to the serious inconvenience caused by the indiscriminate registration of all obligations to the Crown. As the representative of a constituency (Newark) which was particularly interested in this matter, he wished to explain to the House that all persons who were engaged in occupations that rendered them liable to pay customs or excise duties were required to find two sureties for the due payment of such duties. Those securities were registered, and the effect of such registration was, that they became a charge upon not only the property which the surety had in possession at the time of signing the bond, but also all freehold property which he might subsequently acquire. The persons who became securities were unaware of the extent of the obligation they were incurring, for there was nothing in the document they signed to warn them; but if they wished to part with or deal in any way with their freehold property during their continuance of their suretyship they found they could not do so without obtaining a certificate from the Treasury. He knew of one instance in which a gentleman was obliged to part with land compulsorily to a railway company, but was unable to realize the purchase money for some months on account of his having become surety for a distributor of stamps. As another illustration, he might mention that there were twenty maltsters in Newark, each of whom had to find two sureties for the due payment of the malt duties, so that no less than sixty persons were affected by the grievance, and in many instances the most serious inconvenience had arisen. He could not see why registration should be enforced, nor indeed why the Crown should have priority of payment over other creditors. He wished to ask the Chancellor of the Exchequer whether the registration of obligations to the Crown might not, without injury to the public service, be dispensed with, except in cases of default on the part of the obligors.

MR. HADFIELD said, he would suggest that these Crown debts as well as judgments should be unavailable as to real estate until they were put into execution.

MR. MALINS said, there was a Bill introduced into the last Parliament by Lord St. Leonards, which went far to remedy the evil complained of; that Bill had, he believed, been again introduced, and one of its clauses was calculated to remove the evil complained of by the hon. Gentleman. The existing law acted as a great restraint upon the alienation of property, while little advantage was given by it to the Crown. By the insertion of a few words the clause to which he had alluded might be extended to Crown debts.

THE CHANCELLOR OF THE EXCHEQUER said, he was very sensible of the difficulty of this question, but he was afraid that it deserved ampler discussion than could possibly be given to it on that occasion. No doubt it involved topics of general policy, but with respect to legislation he could not move a step without calling in the advice of the law officers of the Crown. He should not express any opinion on the policy of the law which prevailed at the present time, which in substance had existed from time immemorial, and which gave a preference to the debts of the Crown; but he would confine himself strictly to the point raised by the question of his hon. Friend. His hon. Friend was not correct in saying that the obligations of the Crown were indiscriminately registered. That was far from being the case. There was a Treasury minute on the subject dated as far back as September, 1852, in which it was stated that it was not expedient to register any bonds in the office of the Common Pleas, except those of a permanent character, where the responsibility amounted to the sum of £1,000 or more for each party to the bond; and then it went on to say that in special cases the legal adviser of any department might, if he thought fit, require registration on his own responsibility, even though the particular bond might be for a less amount than £1,000, though given for a temporary purpose only. That was the basis of the general practice that had prevailed from that time to the present in the departments of the Customs, Excise, Stamps and Taxes, Woods and Works, Paymaster-General, National Debt-office, the War-office, and the Ordnance-office, and the effect of it had been a very great reduction indeed in the practice of registration, which undoubtedly was attended with inconvenience. He could give his hon. Friend details for the purpose of showing to what a great degree this evil had been lessened. The total number of Crown bonds registered since 1856 on the part of the Custom-house officer, who used to have to register enormous numbers, was only thirty. He mentioned that for the purpose of showing that the attention of the heads of departments had been called to the subject, and that a great reduction of the inconvenience had been effected. With regard to the other part of the question—namely, whether registration might not be dispensed with, except in cases of default or expectation of default on the part of the obligor—again, without giving an opinion on the policy of the law, he was afraid he must answer the question in the negative. To register a bond in case of actual default would obviously be out of place. The only proceeding that could rationally be taken in case of actual default would be to put the bond in suit, and then the lands and goods of the debtor would be taken in execution. With regard to registration in expectation of default it was quite obvious that that would be a dangerous and speculative ground to go upon. If it meant that they were to register in cases where it seemed likely that the bond would have to be resorted to, it was substantially the same as the present practice, and he was afraid that they could not effect any change in the present practice. They could not change the practice by adopting any absolute rule so long as the law remained on its present basis. It was, he admitted, a serious question, and in case the hon. Member, or any other hon. Member, should bring it before the attention of the House, he hoped it would receive full consideration, and he could only add that he would be very happy to afford any information which might be required from the various departments concerned in the registration of these bonds.

Mr. WHITESIDE observed that in the late Parliament he introduced a Bill as to judgments in Ireland, which were a great impediment to the transfer of land in that country. He had given notice of re-introducing the Bill, which was now in an amended shape, and he hoped he should have the support of those hon. Gentlemen who took an interest in this question.

SCOTCH EPISCOPAL CLERGY IN THE ENGLISH CHURCH.—OBSERVATIONS.

Mr. A. STEUART said, according to notice he rose to call the attention of the House to the facilities by which a clergyman of the Scottish Episcopal Communion may by a private Bill obtain admission into the Church of England, even though he may have countenanced what had been condemned by his own Church as dangerous error. It was a very serious question, and one that perhaps derived immediate importance from the fact that a private Bill of the kind, relating to one particular case, would be before the House on an early day. When that Bill should be before them, he himself was at a loss how to deal with it—whether to refer it to a Select Committee, or what course to follow. In the year 1856, about the last day of the Session, the Chancellor of the Exchequer, in an excellent speech, called the attention of the House to the legal disabilities under which clergymen of the Episcopal Church of Scotland lay, and expressed his opinion that there should be a general law on the subject. He was sure there was no Member of that House who would say that if a Scottish clergyman had fallen under the censure of his bishop, he would use his privilege to enable him to obtain admission into the Church of England. At present the Statute Law of the land created a disability, but private Bills were brought before the House to remove that disability in individual cases, and if Select Committees could be appointed to inquire into each case he should see no objection, but on the other hand he could not see how the Church of England could be kept pure if Scottish clergymen who had fallen into error could be admitted almost without question into the Church of England. With regard to the case that was to come on before the House soon he would only make one remark. His hon. Friend the Member for Perth (Mr. Kinnaird) had called his attention to a statement which he (Mr. Steuart) had made on a previous occasion in the House with regard to the same case, when it was alleged that he said he had been in the chapel of the gentleman in question, and while there had seen him make use of burning incense in his church. By burning he could only mean such an inference as to that fact as he could make from smell. He certainly had seen flags and banners in his church. A communication which he had received from the Parliamentary agents who were promoting the private Bill in question stated that he (Mr. Steuart) was mistaken as to the burning of incense, and that the odour which he had perceived arose from fumigation for other purposes than of religious worship, and that the banners admitted of a similarly ready explanation. The fact of banners, then, was admitted. He did not mean to misrepresent the gentleman concerned in anything which he had said ; he was sure the House would concede that to him. He wished to ask the First Lord of the Treasury whether he considered a remedy should be devised, either by a public enactment or by regulations, regarding private Bills of so unusual a nature?

Viscount PALMERSTON said, that whatever might have been the fact in the case alluded to by the hon. Member, he (Viscount Palmerston) thought that while hon. Members had recently been suffering from the exhalations of the river close at hand, they would scarcely have criticised any course that would have rid them of the unpleasantness, even at the risk of their being charged with incense-burning. With respect, however, to the question put by the hon. Member, he believed that a Bill would come before them on Monday relating to the subject which had been brought under the consideration of the House. The Bill, he believed, was a private one, and though he did not think that was a proper way of dealing with matters of this sort, he thought that the time when the Bill was brought forward would be the proper one for making any suggestions that might be offered.

THE AFFAIRS OF ITALY.—QUESTION.

Mr. SEYMOUR FITZGERALD said, when, Sir, I gave notice last night of my intention to ask the Secretary of State for Foreign Affairs the Question, I did so under the notion that I was by that means adopting the fittest mode of dealing with the matter. I would abstain from pressing any question which the Secretary for Foreign Affairs should not think it desirable to be intruded, but I thought that occasion would give me the opportunity of pointing out why the document referred to might, with advantage to the public service, be laid on the table of the House. Before I proceed, however, to make any such observations, I hope the House will permit me to make a short explanation which is, I think, rendered necessary by the somewhat abrupt contradiction which was given the other day by the right hon. Secretary for India (Sir Charles Wood) to a statement which I then made. I then asked whether there would be any objection to lay upon the table a communication stated to have been made on behalf of Her Majesty's Government, giving advice to the Courts of Germany as to the course they should pursue with reference to the war now raging in Italy. I referred to this communication as one which I might fairly impute to the Government upon the authority of the right hon. Secretary of State for India ; but that right hon. Gentleman with, I think, more vivacity than courtesy, at once exclaimed "I never said anything of the kind." Now of course, I am bound to accept the disclaimer of the right hon. Gentleman ; but I deem it due to myself that I should state the grounds upon which, as I think fairly and justly, I was led to attribute that statement to the right hon. Gentleman. On referring to the report in *The Times* newspaper of the right hon. Gentleman's speech to his constituents at Halifax, I find these words attributed to him :—

> "We have seen recent accounts that in a large portion of Germany a strong spirit prevails by which they seemed disposed almost to engage in hostilities. I hope and trust that their own good sense, aided by the advice which we have given them since we came to power, will induce them to abstain from hostilities."

The right hon. Gentleman further said :—

> "I believe that in the endeavour to keep Germany out of the war we shall be consulting the best interests of the country."

Now I find that report is identical with the report that appeared in the *Daily News*, the *Morning Herald*, the *Morning Chronicle*, and other morning newspapers of the following day. Even if this were all I should be entitled to attribute to the right hon. Gentleman the announcement that advice had been given by Her Majesty's Government as to the course which should be pursued by the German powers with regard to the war in Italy. I find however that the right hon. Gentleman's speech has apparently led not only me, but others into error, for that speech was thus commented upon in the leading article of *The Times*.

> "We learn from Sir Charles Wood that our Foreign Minister has not been idle, and Prussia has been subjected to the same admonitions, expostulations, and warnings which so signally failed of their effect when addressed by Lord Malmesbury to France, Austria, and Sardinia."

As far as I was concerned the case does not even rest here ; for the speech of the right hon. Gentleman had attracted the notice of my noble Friend, the Earl of Malmesbury, and he thought it his duty to make some observations with reference to it in "another place," where he expressed his fear lest this officious giving of advice should be found to prejudice our position of neutrality, and might therefore impose unnecessary responsibility upon the Government of this country. I find that, Sir, in answer to the observations of my noble Friend, one of the colleagues of the right hon. Gentleman, the Duke of Newcastle, said that, although he had not been able to read the report of the right hon. Baronet's speech, he had no doubt of the accuracy of that report, and he further said that the despatch alluded to by the right hon. Gentleman would not bear the construction to which the Earl of Malmesbury seemed to apprehend it was open. Now, Sir, when I found an identical report in all the morning Newspapers attributing to the right hon. Gentleman a statement that the present Government had given advice to the Powers of Germany with reference to the course to be pursued with regard to the war in Italy—when I found that that language was understood in the same sense by public writers, and that a noble Duke—the colleague of the right hon. Gentleman expressly stated that the language held by the right hon. Gentleman referred to a despatch of which that noble Duke was cognizant, I think I was perfectly entitled to attribute that statement to the right hon. Gentleman; and while I entirely accept his disclaimer I cannot but think he must have been somewhat precipitate in stating so decidedly that he not only had not said what I attributed to him, but that he never said anything of the kind. Now with reference to the question I wish to put to the noble Lord the Secretary for Foreign Affairs, I beg to assure him that my experience of the department over which he presides is far too recent to permit me to press him to produce any papers which he may think it desirable for the public interest to withhold; but I must say, at the same time, that I think the paper to which I refer does not come within that category. I do not ask for the production of any correspondence, or for anything having reference to pending negotiations, but we have had a circular from the Government of Russia expressing their views with regard to the present position of Germany — we have had a circular addressed to the various French Ministers at foreign Courts by M. Walewski,—and I think this country and Parliament should be in possession of the most authentic records of the opinions of our own Government upon the same subject. I think it is only desirable that we should be in possession of the views of Her Majesty's Government upon this subject, but that it is also very necessary that this House should know the language in which these views have been expressed. It may be that that language is judicious; it may be that it is conciliatory; it may be that it is all this House could desire; but, on the other hand, it may be such as is calculated to irritate and to wound the susceptibilities of those to whom it is addressed. However commendable may be the intention of a statesman in writing a despatch, it is not always that a public man is successful in attaining the object he has in view. A very remarkable instance of this occurs to my mind, because, on a former occasion, when the noble Lord (Lord John Russell) held the seals of the Foreign Office, he addressed a very important despatch to the Court of Russia. The laudable object of that despatch no one doubted; but, addressed as it was to that Court at the very time when those confidential and secret communications with Sir Hamilton Seymour were going on, it has been characterized in this House, and by public men in the country, as having done more than anything else, notwithstanding its laudable intention, to provoke an outbreak of hostilities, and encourage the Emperor of Russia in the pursuit of those designs and the adoption of those measures which afterwards rendered a war between Russia and this country inevitable. It is therefore desirable that we should know not only what the policy of the Government is, but what are the exact terms and phrases in which they have conveyed that policy to foreign Governments. If, under present circumstances, and especially after the news which has just been received, the noble Lord thinks it better that the despatch should not now be produced, I will say nothing further. But I shall now conclude with asking whether there is any objection to lay on the table the despatch alluded to by the right hon. Member for Halifax on the occasion to which I have referred?

SIR CHARLES WOOD (who was indistinctly heard),—Sir, I may be permitted, before the noble Lord rises, to offer a few words in explanation of what I did say at Halifax, and of why I made the answer that I did yesterday to which the hon. Gentleman has adverted. I understood the hon. Member yesterday to ask for the production of a despatch which I had stated had been addressed to the different Courts of Germany, urging on them an adherence to a course of firm neutrality in the present war; and in reference to that assertion, speaking perhaps with a little warmth, I remarked that I had said nothing of that kind. What occurred at Halifax was this:—Many persons there were very much interested in the trade of the Continent, and, apprehending that their business would be entirely stopped by the war, they expressed great alarm at a report which they had heard that Prussia was on the point of taking an active part in the struggle. On the other hand a large number of people were also apprehensive lest the preparations going on in this country should render the maintenance of our neutrality much more difficult. To quiet these alarms I told them the first place that the present Government were not more likely than the last to abandon the policy of neutrality, and I assured them that the naval and military preparations which had been for some time in progress were not intended, as I believed, by the late Government, and certainly not intended by the present Government, in any way as a departure from that policy. But I added, that events might happen elsewhere, for example in Germany, by which, if the war extended, this country might possibly become involved; and that out of consideration for our own interests, and even for our own obligations, we might be called upon to interfere. I further said, I hoped and trusted that this would not be the case—that the statement that Prussia was on the point of taking an active part in the war was unfounded — that that was a course which I thought a regard for her own interests should induce Prussia not to pursue, and that we had also given our advice to that effect. Not that we had advised Germany that she ought to remain neutral. That would, perhaps, have been going further than we had a right to do; but that, looking to the interest which this country felt in the question, she was justified in urging Prussia not to take an immediate and active part in the war now raging in Italy.

MR. SEYMOUR FITZGERALD: I certainly never used in relation to t hisdespatch the words which the right hon. Gentleman has described. I spoke of it merely as a communication on the part of Her Majesty's Government giving advice to Prussia as to the course to be pursued with reference to the war.

TREATMENT OF BRITISH SUBJECTS IN MEXICO.

MR. SCHNEIDER: I rise, Sir, pursuant to notice, to call the attention of the House to the present state of Mexico, especially with reference to the outrages which have been committed upon British subjects; and to ask the Secretary of State for Foreign Affairs what steps have been taken to obtain redress for such outrages. As the noble Lord the Secretary for Foreign Affairs cannot speak twice on the present occasion I trust I may be allowed in a few words to introduce to his attention the subject of which I have given notice. Although that subject is in no way connected with the European war, I am sure that the House will consider it of sufficient interest to claim their particular attention. It relates, Sir, to the present state of Mexico and the outrages that have been recently committed upon British subjects in that Republic. Before entering upon a description of those outrages I hope I may be allowed to state, in a few words, the position of parties in Mexico. There were two leading parties, the Centralists, and the Constitutional party. In 1857 the Constitutionalists were overthrown, and the Centralist party obtained power. In the course of that revolution General Marquez, who was in command of the forces, took possession of the city. One of the General's first acts, after obtaining possession of the city, was to order into prison a British subject who had been brought before him under some trifling pretext, and to sentence him to pay a fine of 1,500 dollars. The name of this person was Mr. Newall, a respectable British gentleman; and upon his inability to pay this fine the General ordered him to be shot at six o'clock on the following morning. Fortunately, a friend and countryman of Mr. Newall, having heard of his situation, and the sentence that had been passed upon him, found the money and paid it, otherwise Mr. Newall would have been undoubtedly shot. At about the same time a Mr. Davis, another British subject, whilst residing in another part of the Republic, was arrested by the Mexican officials for some assumed offence, and was also fined a large sum of money. Mr. Davis having refused to pay the demand was sentenced to prison, and was degraded to march in the army as a common soldier. All this punishment Mr. Davis was compelled to undergo. I will not trouble the House with an account of the many minor outrages that were perpetrated on British subjects. I will rather pass on to the time when the late Government thought those proceedings of sufficient importance to send a British squadron to the Gulf of Mexico, and to introduce a paragraph into the Queen's Speech in February last in reference to the matter, thereby showing what their feelings were in respect to those outrages, and the prompt and energetic measures they were taking to obtain redress for British subjects in that part of the world. In April last, some three months after the squadron had arrived in the Gulf, and when one might expect that it would have exercised some restraint upon the parties guilty of those outrages, a battle took place in a village about six miles distance from the City of Mexico. After that engagement had terminated a Mr. Duval, a British subject and a surgeon by profession, in the exercise of his humanity, stripped himself of his outward clothing for the purpose of being the better enabled to attend to the wants of those who had fallen in the field, and to dress their wounds. Whilst engaged in his noble work of charity he was seized by order of a general of the Centralist party, led to a particular spot in the neighbourhood, and then and there shot as a felon in the presence of the army. Now, I believe that there has hardly ever happened a greater outrage than this I have just mentioned. At the same time another British subject, a Mr. Selley, who was engaged in business, being the proprietor of a certain store, was arrested for entertaining in his house some of the opposite party, and condemned to death. He was led in manacles into the city of Mexico at the head of the troops, but by a most fortunate circumstance he was rescued from the horrible fate that awaited him, and he is now alive. This gentleman was, however, actually led out to be shot, and the men were preparing to fire at him, when they were suddenly stopped by the interposition of another Mexican general. These matters affected the British merchants in Mexico in a serious degree, who feared the outrages against their lives far more than those against their property. But, Sir, the outrages committed against their property were by no means few or of a trifling character. In one city a very large amount of property, to the amount of £40,000, was seized by the Mexican authorities, half of which really belonged to British subjects, and the whole was under the protection of British subjects. I regret to have to add that while all these proceedings were going on great reflections were cast upon the conduct of Her Majesty's Minister at Mexico for the extraordinary indifference he manifested throughout. I do not give this character of the gentleman from my own knowledge. I wish to avoid casting any aspersion myself upon the character or zeal of Mr. Otway, as our Minister in Mexico, but I think it desirable, when I know that those aspersions have been cast upon that gentleman, and apparently believed to be true by the British residents in Mexico, that Mr. Otway should have an opportunity of defending himself if he could; and, I trust, that the noble Lord who now presides at the Foreign Office will endeavour to draw from him such an explanation as will necessitate a retractation of those charges. Sir, I will not detain the House by inflicting upon it a catalogue of the grievances of British subjects in Mexico. I may merely mention one alleged fact, which has made a strong impression upon their minds. It is this. At the time the squadron was in the Gulf the British residents in Mexico sought to obtain redress from the Centralist party. At the moment when it was supposed that Mr. Otway was negotiating for an inquiry into those matters it was noticed that he appeared to be on the most familiar terms of intimacy with Madame Miramon, the wife of the head of that party. On one occasion, when a British subject was being led to execution for no crime whatever, it is stated that this lady was observed standing on a balcony with Mr. Otway, and cheering on the troops that were guarding him. These circumstances naturally excited a considerable amount of indignation in the minds of British subjects in Mexico. Strong remonstrances were made by the British residents in reference to Mr. Otway's conduct, and they said that if Mr. Otway was on such friendly terms with this lady and her husband there was no doubt that he could have obtained pardon for this man if he were at all disposed to exercise his influence in that quarter. But it appears that Mr. Otway did not exercise any such influence in behalf of his fellow-countrymen, for I hold in my hand a copy of a letter from the American consul in Mexico addressed to Mr. Otway, in which he calls upon the latter to exercise his rights as British Minister in order to save the lives of British residents. I say, Sir, that the case must be one of a shameful character indeed when the Minister of another nation should feel himself compelled to urge upon our own Minister the necessity of interposing his authority to save the lives and property of his fellow subjects. Mr. Otway is in the hands of the Foreign Office, and will of course be called upon to give an account of his conduct in reference to those matters. I have now detailed the prominent facts of the case as briefly as I could. I trust the House will say I have not intruded myself upon its attention without sufficient cause. I hope that the noble Lord will give to me an assurance, that will find its way to our fellow-subjects in Mexico, that all the protection which the British Government can offer will be given to them ; and that the British residents there will no longer be condemned to live from day to day in fear of their lives, nor be subject to a recurrence of those outrages so long as we can command a British fleet in the Gulf of Mexico.

AFFAIRS OF ITALY.—COUNT CAVOUR'S CIRCULAR.—QUESTION.

Mr. COCHRANE said, that in the absence of his noble Friend (Lord W. Graham) he rose to ask the Secretary of State for Foreign Affairs, whether the Circular of Count Cavour, dated the 14th day of June, 1859, has been officially communicated to the English Court ; and if so, whether he has deemed it consistent with his duty to make any reply thereto, or to address any observations thereon to the Sardinian Minister in this country. That despatch referred to one of the 1st of March, which had been published, and of which it purported to be merely a recapitulation. Nevertheless, while the despatch of the 1st of March spoke about obtaining a separate national constitution for Lombardy and Venice, the later despatch accepted the annexation of Lombardy to Piedmont. On this point the following language was held—

> "The feelings of the inhabitants have broken out ; the municipal authorities, the very same that had been instituted by Austria, have proclaimed the fall of the ancient Government, have renewed the union of 1848, and unanimously confirmed their annexation to Piedmont. The municipality of Milan proclaimed it even within range of Austrian cannon. The King, by accepting this spontaneous act of the national will, infringes the existing treaties in no respect, since Austria, by refusing to accept a Congress having for its basis the maintenance of these treaties, and by invading the dominions of His Majesty, has torn up, in so far as concerns herself, the transactions of 1814 and 1815.

The despatch then proceeded to say—

> "The object of the present war, His Majesty openly avows it, is Italian independence and the exclusion of Austria from the peninsula. This cause is too noble for us to dissemble its full bearing, too sacred that it should not obtain in advance the sympathy of civilized Europe. We even ought to acknowledge that this sympathy has never failed us, for the policy of the King's Government has always been the same, and has met with the approbation not only of the public opinion but of the Cabinets."

The document concluded as follows :—

> "We feel the most absolute confidence that the equilibrium of Europe will not be disturbed by the territorial extension of a great power, and that in Italy there will be a strongly constituted kingdom, such as is naturally indicated by its geographical configuration, the unity of race, language, and customs, such as diplomacy had already desired to create at other times in the common interest of Italy and Europe. With the rule of Austria, and of the States that joined their destinies to those of Austria, a permanent cause of disturbances will disappear, order will be guaranteed, the smouldering flame of revolutions will be extinguished, Europe will be able to give herself up in full security to those great enterprises of peace that form the glory of the age. You now have, Monsieur le Ministre, the point of view under which you are to present the events now passing in Italy. The contest provoked by Austria ought to have for its result her exclusion from a country which force alone had subjected to an odious and intolerable yoke. Our cause, I rejoice to repeat in ending this despatch, is noble and just ; we can, we are bound to avow it openly, and we have full confidence in the triumph of good right."

This despatch conveyed so much meaning, and was written in so different a spirit from the earlier one, that it would be most desirable to have the noble Lord's answer laid upon the table.

Lord JOHN RUSSELL : In answer to the question which has just been put by the hon. Gentleman, and which was to have been put by the noble Lord the Member for Hereford, relating to a despatch or circular of Count Cavour of the 14th of June, I have to state that it has not been officially communicated to the British Government. There is a despatch from Sir James Hudson, stating the substance of a circular written by Count Cavour—I am not exactly sure whether the same circular or not—which alludes to certain States being annexed to Piedmont. The answer of Her Majesty's Government to Sir James Hudson was that they could not acknowledge any of these annexations of other States ; that the state of occupation must be considered as provisional only to be decided finally by the wishes of the inhabitants, by the fortune of war, and by any general treaty of peace that might be concluded. This answer Sir James Hudson was desired to communicate to Count Cavour. There is, therefore, no acknowledgment by Her Majesty's Government of any of the annexations that may have taken place. I will next reply, Sir, to the question which has been put by the hon. Gentleman the late Under Secretary of State for Foreign Affairs. His question is, whether I have any objection to lay on the table of the House a copy of despatch stated to have been addressed to the Prussian Government or Her Majesty's Minister at Berlin as to the course of conduct which Prussia ought to pursue with reference to the war in the north of Italy. In answer, I have to state that it would be very inconvenient to the public service if that despatch were laid on the table. It is a despatch to which an answer has been given by Prussia; while, again, another was sent only last night by Her Majesty's Government, continuing the correspondence. I think, therefore, the hon. Gentleman will see that it would be highly inconvenient to give publication to part only of a correspondence. But with respect to the nature of the correspondence the hon. Gentleman has very naturally fallen into some errors. The hon. Gentleman speaks of a circular addressed to the Germanic Confederation from the Court of Russia, and of another circular signed by the French Minister of Foreign Affairs, M. Walewski. The circular of the Court of Russia, and I think also that of the French Minister of Foreign Affairs, spoke of the rights and duties of the Germanic Confederation, and of what was the proper course for that Confederation to pursue in regard to foreign nations. Now, that is a kind of discussion naturally interesting enough for the States of Germany; but we have not followed any such course. We have not discussed at all the rights and duties of the German Confederation or the rights and duties of the several States, or what should determine their relations to other Powers. But with regard to Prussia, owing to rumours that were in some degree countenanced by official statements, we addressed a despatch to that Court. Now, in looking at the Italian Papers on the table, I see a despatch from the Earl of Malmesbury to Lord Bloomfield, our Minister at Berlin, in which, after stating that the Government of this country intends to remain neutral, he says,—

> "Her Majesty's Government, therefore, deprecate any act which would unnecessarily extend the theatre of war, and they will be prepared to take advantage of any favourable opportunity that may be afforded to them of being the medium of restoring peace."—p. 402.

Now, the whole object of our despatch to the Court of Berlin was to "deprecate any act that might unnecessarily extend the theatre of war." It appears to me that it is the bounden duty of Her Majesty's Government, as far as they can properly do so, to consult with other Governments which are neutral in order to prevent the theatre of war from extending. I need hardly point out to the House, certainly not to the hon. Gentleman, who is so well acquainted with foreign affairs, that while it is a great calamity to have war in Italy, it would be a still greater calamity if the war extended to Germany, and through Germany to the whole of Europe. We were, therefore, led to consider what were the causes put forth that should induce Prussia to take part in hostilities, and to discuss in the most friendly manner the interests of Prussia in regard to the war. In regard to the latter part of the statement of the hon. Gentleman it is peculiarly necessary that there should be no premature publication of correspondence at this moment; for, without knowing how far the armistice may extend, we are informed officially by the *Moniteur* that it leaves room for negotiation. That is so important an announcement that it would be unadvisable for the Government, and very unwise for any Member of this House to enter into discussion on this subject. Our disposition must ever be the same as that of the late Government—namely, to take any opportunity afforded us of "being the medium of restoring peace." We may not take the same view in regard to what would be the most favourable time for restoring peace to Europe; but with regard to the object we are entirely agreed with them. The hon. Gentleman—surely very unnecessarily—referred to a despatch of mine written some years ago, and communicated to the Court of Russia. The fact, with regard to that despatch, was that the late Emperor of Russia thought it advisable that there should be a concert between this country and Russia with regard to the future state of Turkey, supposing the Government of the Sultan to be destroyed. We did not think fit to enter into any such concert, and the Emperor of Russia was told so in a despatch that was afterwards in substance repeated and enforced by the Earl of Clarendon, who succeeded me at the Foreign Office, upon the Russian Minister at this Court. The Emperor of Russia accordingly wholly abandoned that proposition; and therefore, how anybody, even in the extreme of factious misrepresentation, can say that that course of conduct on my part had anything to do with the breaking out of the war with Russia, I cannot understand. I now come, Sir, to the question that has been put to me with regard to Mexico, and I own that the subject is one upon which I must necessarily be very brief and general. Mexico, most unfortunately, has been divided into two envious parties, both of whom have been guilty of many outrages on British subjects in pursuit of their respective objects. It appears that the British Minister is considered favourable to one side, and that the Minister of the United States is considered favourable to another side; but whatever may be the truth of these representations it is undoubtedly true that both from the one side and from the other, both from the Centralist party and the Constitutional party, British subjects have suffered great outrages. Their property has been taken from them, and in certain cases where it has not been given up they have been brought to be executed, and in one instance it required the greatest efforts on the part of the British Minister to save the life of a proposed victim. As to the outrages that occurred in the first instance the late Government employed a squadron to procure redress, and this House is aware of what followed. I can only say that Captain Dunlop did his duty with great zeal and great discretion. But, unfortunately, since the arrangements then made, there is a fresh arrear of outrages to be complained of, and the serious question to be considered is, what should be done to protect British subjects against them. Undoubtedly it is the duty of the Government to protect them, and I may say that no effort will be spared to effect that object. With regard to Mr. Otway, he has lately received leave of absence, in order that he may come to this country and make his defence against the charges which have been brought against him. He himself considers those charges totally unfounded; but I regret to say that he has not entered so much into particulars as to enable me to lay papers on the table which will show that he is in the right and the British merchants in the wrong. In conclusion, I have only to repeat that for the protection of British property as much will be done as can possibly be done in the circumstances.

MR. BOWYER remarked, that the noble Lord had stated that it was the duty of the Government to give such advice to the German Powers as might prevent the theatre of the war being extended. That was a very specious and plausible expression. In one sense every one would assent to it, but it was difficult to see to what extent the meaning of that expression might not be carried. He understood that the advice given by the Government to the German Powers was that they should observe a strict neutrality.

LORD JOHN RUSSELL: I did not say that we had given any advice to the German Powers. I said that we had been in correspondence with the Court of Berlin.

MR. BOWYER said, he understood that the despatch in question stated the view which the Government took of the course that the German Powers ought to pursue. Those Powers had not the advantage which we enjoyed of being an island; they were placed in a very different position to us. They had seen with considerable alarm this revolutionary war carried on by France and Sardinia against Austria. He called it a revolutionary war because it was carried on with appeals to nationalities, and by attempts to stir up the subjects of independent States, with whom neither France nor Sardinia had any cause of quarrel, to revolt against their Sovereigns. He was not unwilling to see the principle of Italian independence carried out; he had always felt that the question of Austrian power in Italy was a difficult one; but he could not shut his eyes to the fact that the present war was one of open and avowed conquest and carried on by revolutionary means, and in a manner quite new to the history of Europe. He did not wonder, therefore, that Germany saw with great anxiety the progress of the enormous, powerful, and apparently irresistible army of France. The noble Lord said that no advice had been given to the German Powers; still the House had a right to gather from what he said that the opinion of the Government was that the German Powers should remain perfectly passive in this matter, and should wait their turn, for their turn would come, to be devoured by France. He thought the Government would act very wisely by leaving the Germans to mind their own business. They were perfectly competent to understand what the interests of their great Confederation and of their different States required from them; they understood this much better than we did. If a powerful country like England gave advice to those German Powers, it must necessarily interfere with their policy to a considerable extent. As an island and a maritime country, England had much less to fear from France than the Germans had. We ought not to exercise the influence of this country to prevent the Germans from taking such a course as they thought might put some check upon the aggressive and conquering policy of France. He was not afraid of the consequences of an attempt to invade this country. If it took place he believed it would be defeated most effectually; but he did not feel quite so confident as many persons did that our turn might not come to repel the aggressive and conquering spirit of which he had spoken. On the contrary, he believed that Austria had been to a great extent fighting the battle of England when she opposed that conquering spirit of France. He looked with hope, and not without satisfaction, to the new state of things that had been brought about in Italy by the success of France. At the same time, he would warn the Government and the House, when they talked about sympathy with France, to remember that our turn might come, and probably would come, and that when France had overcome and swept back Austria, and had undertaken, probably next year, a successful war against Germany, the time would come when we should have to stand on our defence, and those who were so anxious to express sympathy with France would find it misplaced and see that they ought to have looked beyond present circumstances, when France sought to wipe out the defeat of Waterloo.

BESSEMER'S ECONOMICAL PROCESS OF MANUFACTURING STEEL.—QUESTION.

Mr. LYALL said, he wished to ask the Secretary of State for War whether the Government had under their consideration Bessemer's economical process of manufacturing steel, and if there is the intention of substituting that metal for iron to any extent in the manufacture of guns for the Artillery and Ordnance?

Mr. SIDNEY HERBERT said, he had to state that applications had been made on two or three occasions to the War Office, with respect to Bessemer's steel, as to whether it could be used in the manufacture of guns. It might be remembered that Mr. Bessemer started an invention some years ago which made a considerable noise at the time among a great many scientific persons. The Government had offered that if Mr. Bessemer sent in a block of iron, of a certain weight, an experiment would be made therewith; but the Government of that day very properly declined to become ironmasters and take up the invention before it had been sufficiently tested. He apprehended that if there had been a great demand for this new material, which professed to combine economy with efficiency, the capital invested in the iron trade would have induced many persons to take the matter up, and it should be recollected that if the Government had done this and the experiments had failed all the loss would have been theirs; while if successful they would have gained nothing.

THE CORRESPONDENCE WITH GERMANY.

Mr. DISRAELI: I do not wish to revive the discussion which seemed to be terminated by the observations of the noble Lord the Foreign Secretary, for I am sure that the noble Lord having stated that the correspondence with Prussia is still going on, the House will not press for its production, or even murmur at its non-production. At the same time, however, I am bound to state that the description which the noble Lord has given us of his own despatch is not altogether free from somewhat of an alarming character. It is quite clear that giving advice is interference, and if you profess a policy of non-intervention and at the same time indulge in giving advice to foreign Powers you will eventually find yourselves involved in engagements which you never contemplated. The noble Lord has quoted a depatch of my noble Friend the Earl of Malmesbury, which fairly described the general policy of the late Government, showing that they were in favour of a strict and impartial neutrality, but at the same time that they felt they were free to avail themselves of any favourable opportunity which might present itself for their becoming a medium to restore peace. The noble Lord gives his adhesion to a principle which I believe no hon. Gentleman will be inclined to impugn. But there is in the despatches of the Earl of Malmesbury another paragraph much more germane to the matter which has been brought under our notice this evening than the very general passage to which the noble Lord has referred in vindication of the course pursued by the present Government. While listening to the speech of the noble Lord there came to my recollection this sentence in a despatch of the Earl of Malmesbury to Sir James Hudson, dated the 20th of May:—

> "Her Majesty's Government have done their utmost, within the bounds of friendly representation, to calm the excitement prevailing in Germany, but they have not felt themselves called upon or authorized to dissuade the German States from taking such measures as those States considered to be necessary for the maintenance of their several interests; for they could not assume the responsibility of even morally guaranteeing them against the eventualities of the Italian war."—p. 63.

Now, if you sanction a policy which gives advice to neutral Powers, and in consequence of that advice those Powers take a particular course which may prove to them a disastrous one, you will find that you are involved in what is very happily and accurately called at least a moral guarantee as the consequence of your advice. I think, therefore, the House of Commons will do well to insist on the preservation of a strict neutrality, and not to favour the advice which the noble Lord seems anxious to give to those Powers at present occupying, like ourselves, the position of neutral States. I felt it my duty to call attention to the difference between the quotation made by the noble Lord and the principle laid down in the quotation which I have read, and which appears to me of such importance that the House ought jealously to watch over its observance.

LORD JOHN RUSSELL: I do not wish to enter again into this discussion, but I think it right to say that the right hon. Gentleman has taken far from a correct view of the course which Her Majesty's Government have pursued.

Motion *agreed to.*

SUPPLY.

On the Motion that the House do go into Committee of Supply,

DEFENCES OF THE HUMBER.

QUESTION.

LORD HOTHAM said, he wished to ask the Secretary of State for War his intentions with respect to the defences of the river Humber; and in so doing to refer to a report made to the Master General of the Ordnance in 1854 by a committee of officers appointed to inquire into that subject. He asked this question for the purpose of removing a misconception which prevailed on this subject. He should have inquired into this matter had he now been sitting on the other side of the House. It was not the result of any pressure or local apprehension, but he made the inquiry on his own responsibility and in consequence of his having a knowledge of the locality to which he referred, and because he knew the opinion of those most able to form a correct opinion. The question was not purely a local question, but one interesting to every hon. Member whose constituents were engaged in trade and commerce with the North of Europe. In 1852 the state of the Humber attracted the attention of the Board of Ordnance, and the then Master General of the Ordnance considered it his duty to appoint a Committee to inquire into the matter. He appointed three officers well calculated from their position to form a correct opinion upon it. One was a colonel of artillery, the other a colonel of engineers, and the third a captain in the navy. Those gentlemen repaired to the spot, made an accurate examination into the matter referred to them, and reported upon the subject to the Master General of the Ordnance. Although he (Lord Hotham) had been for years aware of the contents of that report, he hoped his right hon. Friend (the Secretary for War) and the House would understand and appreciate the reasons which prevented him from going into the details of that report. Suffice it for him to say, that of the recommendations of that Committee only a very small portion had been adopted. The question, therefore, he was anxious to put was, whether it was his intention to cause that report to be carried out. He would add—and no one would dissent from the statement—that whatever might have been thought necessary and desirable then could not be less necessary and desirable now. If his right hon. Friend should answer in the affirmative, of course he (Lord Hotham) should trouble him no further; but if his answer should be in the negative he hoped he would not object to state whether he refused to carry into effect the recommendations of that Committee for certain reasons of his own or through financial considerations. If the answer of his right hon. Friend should be, as he thought it would, in the negative, he should reserve to himself the right of pressing the subject when the House should be in Committee.

Mr. S. HERBERT said, it was quite true that in 1854 a committee of officers had made a report recommending certain defences for the Humber. Since that time —in 1858, he thought—a further inquiry had been made, owing to the impracticability of carrying into effect one part of the proposals of the Committee of 1854. It had been at one time proposed to give a great armament to the citadel at Hull; but it was found that that would have an injurious effect upon the docks; therefore the plan was abandoned. It was also found that the citadel stood upon ground that did not belong to the Crown, and which was liable to be sold. But in 1858 the Committee had made several proposals for the defence of the Humber. One of those was that a battery of six guns should be placed on the right bank of the river. That battery was now completed. In the last Estimate a considerable sum had been taken by his predecessor in office for defending commercial ports. If that vote would bear a portion of the amount being applied to Hull, it certainly should be so applied. No one would underrate the immense importance of Hull, and of giving very early attention to it; and if he found that he could, consistently with his duty, appropriate any considerable portion of that Vote to its defence, he would do so. On the other hand, he would ask, if a large number of guns were to be mounted for the defence of the mercantile community in Hull, that the inhabitants of that and other places should contribute something towards the expense. He hoped, after what had fallen from the noble Lord, that he might consider that a fair bargain.

General PEEL said, that although a sum of £300,000 had been voted for the purpose referred to, it had only been taken at the rate of about £12,000 a year; so that it would require twenty-five years to complete all those defences. It would be far better to decide at once what was actually necessary to be expended, and either borrow the money or raise it in some other way, spreading the repayment over the whole period. It was of no use going on voting a few pounds every year.

Lord Hotham

THE AFFAIRS OF ITALY.—OUR FOREIGN POLICY

Lord JOHN RUSSELL: A question of some importance has been raised with regard to the responsibility which the Government is said to have incurred in giving advice to foreign Governments; and it has been said not only that we ought not to advise other States to refrain from increasing their armaments—the fact being that we have given no advice of the kind—but that we ought not to counsel those States to remain at peace, and to refrain from extending the ravages of war. Now, I find the following advice given by the Earl of Malmesbury to the Confederation. It is contained in a despatch to Sir A. Malet, dated May 1, 1859:—

> "I have received your telegram of this day, by which it appears that a Motion will probably be made to-morrow in the Diet, calling upon the Confederation, without any *casus fœderis*, to make common cause with Austria. Her Majesty's Government trust, however, that the answer which I immediately returned to you by telegraph may have arrived in time to prevent any such ill-advised step on the part of the Confederation, and that the protest which I have instructed you to make against its adoption, and the warning that I have desired you to give, that if Germany should at this early stage involve herself, without a treaty obligation, in the present war, she would have no assistance to expect from England, and that without such assistance her coasts would be exposed to the ravages of hostile fleets in the Baltic, will deter the Diet from adopting so precipitate a course, which would at once extend to Europe the ravages of war, which every friend of humanity must desire to see confined, if possible, to the country in which it has broken out."

Now I do not object to this language, but to state that the Earl of Malmesbury had never given advice to any foreign Power to maintain an attitude of neutrality, and not to enter into war, is certainly not to put a fair interpretation on the language which that noble Earl has used. I do not think I have employed language so strong as that which was directed to the German Confederation requesting it not to take part in the present contest in Italy, and warning the German States that if they did so the coasts of the Baltic would be ravaged by a foreign Power.

Mr. DISRAELI: The advice which the Earl of Malmesbury gave in this despatch is very frequently given by him in the course of the papers which have been laid before the House, and in none of them more strongly than in that from which I last quoted. He there says—

"Her Majesty's Government strongly declare that Germany should not be influenced in arriving at a decision then under the consideration of the Diet, by any hope of succour from this country."

Now, that is stronger language than any which the noble Lord opposite has quoted; but I apprehend from the language used by the noble Lord himself, that he has written a despatch to the Court of Prussia, in which he has recommended to that Court the adoption of a certain line of policy. That, hon. Members will perceive, is a very different thing from giving Prussia to understand, that if she entered into war, she must not expect the assistance of England. The course which the noble Lord has taken, in short, I do not conceive to be consistent with the observance of a strict and impartial neutrality; while all that the Earl of Malmesbury did, was to impress upon Prussia the conviction that if she engaged in hostilities, she must do so on her own responsibility.

VISCOUNT PALMERSTON: The despatch of the Earl of Malmesbury which has been quoted by my noble Friend clearly does not confine itself to an intimation to Prussia, that if she went to war she must not count upon the support of England, but tells her she must reckon on something else—namely, the ravage of her coasts in the Baltic. The charge which was made against my noble Friend in the early part of this discussion was, that he had given advice to the German Powers. On the other hand, he admitted that he had simply given advice to Prussia, dissuading her from entering into the war which was then being waged in Italy; but the charges made being that my noble Friend had given advice to the German Powers, he proves from the blue-books that the Earl of Malmesbury did not merely give advice to the Diet to abstain from war, but pointed out the course it ought to pursue, and warned it of the dangers which would arise if it pursued a different line of policy from that which the late Government had shadowed out. The late Government protested against the steps which the Diet was going to take, and I do not find fault with them for having done so. I think they acted wisely in the course which in that respect they pursued, but then it is going too far to turn round upon us because we have, although only in a modified degree, adopted a similar policy. If there can be any charge against us, it is on the score that we have not protested against the conduct of the German Powers. Of all men, the late Ministry are the last persons who ought to have found fault with our proceedings i this particular.

MR. DISRAELI: The noble Lord who has just spoken seems to labour under the impression, that in warning Prussia against ravages in the Baltic, we were speaking of the possible policy of England.

MR. COCHRANE observed, that nothing could more completely breathe a spirit of neutrality than the language which the Earl of Malmesbury had employed.

LAW OF LANDLORD AND TENANT (IRELAND).—QUESTION.

MR. HASSARD said, he wished to ask the late Attorney General for Ireland (Mr. Whiteside) what course he proposes to take with respect to the Bills for the adjustment of the relations subsisting between Landlords and Tenants in Ireland, of which he gave notice when a law officer of the Crown.

MR. WHITESIDE said, that on the eve of the division which had led to the resignation of the late Government he had been asked by a certain hon. Gentleman what course he proposed to take in reference to the subject to which the question which had just been put to him related. His impression was, however, that the hon. Gentleman who had addressed to him that inquiry had already made up his mind as to how he should vote on the impending division. He had, nevertheless, replied to the inquiry in the only manner in which he could consistently with truth, and had stated that the late Government had prepared a Bill, or rather two Bills, on the subject, and that, in accordance with the instructions which he had received, he hoped to be able to lay them within a few days on the table of the House. He had not, however, entered into any discussion as to what was meant by the words "tenant compensation," for probably one of the compensations they would expect would have been compensation for paying their rents. The House was well aware what course that question had taken in Parliament. The settlement of it which had been proposed in 1852 had been rejected. About a year ago a certain number of gentlemen had waited on the Earl of Derby, with a view of ascertaining from him whether his Government was prepared to take the subject into their consideration. He

(Mr. Whiteside) was at the time engaged in carrying through the House the important measure which related to the transfer of land in Ireland, and he would then have found it impossible to proceed with Bills for the Amendment of the law of Landlord and Tenant in that country. The answer, therefore, which had been returned to the gentlemen to whom he alluded was that the Government would inquire into the question. The issue was, that he had in the course of last autumn, received from his right hon. Friend the Member for the University of Cambridge, who at the time was Secretary of State for the Home Department, an authorized statement of that which the Cabinet would be prepared to do in connection with the subject. He (Mr. Whiteside) had as a consequence applied to the gentleman who had written the best account of the result of the inquiry of 1843, in which 40,000 interrogatories were embodied, and Bills were prepared providing for the settlement of the question, when the House was pleased to give that vote which rendered further progress in the matter on the part of the late Government impossible. He believed that in dealing with the question he possessed the confidence of the gentry of Ireland and of the tenant farmers of Ulster, and thinking it was possible to settle it in a satisfactory manner he had devoted his best endeavours to the attainment of that object. Some hon. Gentlemen, to show their great interest in the subject, deemed it their duty, when the new Government was but a few days in office, to ask whether they proposed to introduce a Bill with respect to it, but he should remind them that it was not the most agreeable of all topics for discussion in the month of July, and that it could not advance the views which they proposed in any great degree to put questions to the noble Viscount opposite at the wrong time, and when they must know that no advantage could result from the inquiry. A small portion of the Irish Members who were known under the designation of the "independent party" had, he thought, been used rather roughly in the matter, because they ventured to support the late Government against the twenty-one Roman Catholic Members who voted on the side of the noble Viscount. They had been charged with giving up the tenant-right question. He, however, could conscientiously state that the hon. and learned Member for Dundalk, the hon. and learned Member for Dungarvan, and he believed the hon. Members for Meath, had privately sought for the adjustment of the question, stating that they wanted nothing for themselves, but were simply desirous that a subject of great importance to their country should be satisfactorily disposed of. The hon. Member for Dungarvan had even gone so far as to bring under his notice the case of a priest who had been dispossessed of his farm without adequate compensation for the improvements which he had made upon it by a gallant officer who had returned to take possession of his property from the Crimea. That case had come before the Lord Chancellor in Ireland, and it was but just to the gallant gentleman to whom he had referred to state, that when he had become aware of the remarks which the learned Judge had deemed it his duty to make with respect to it, he had at once written to offer to the priest the restoration of the property which he had held. The hon. Member for Dungarvan had asked him whether the measures which he (Mr. Whiteside) proposed to introduce would meet such a case, and his answer had been that he thought they would. He had simply to add that the late Government had done all in their power to bring about a settlement of the question of Landlord and Tenant in Ireland, but now that they were no longer in a position to deal with it satisfactorily, they were forced to resign it into the hands of those to whom it had been confided by a vote of that House.

Mr. ESMONDE said, that this question, which deeply involved the interests of Landlord and Tenant in Ireland, was not a party question, and it no longer stood in the same position as formerly. The more violent promoters had cooled down, and as the principle was admitted on both sides of the House, he saw no reason why a fair settlement could not be made. He was sure that the right hon. and learned Gentleman who had just spoken was too patriotic to refuse to lay the Bill which he had prepared upon the table for the benefit of hon. Members and of the present Government.

Mr. HENNESSY: I avail myself, Sir, of the earliest opportunity that has occurred since the change of Government, to express my regret that a party vote should have had the effect of delaying, and perhaps of defeating for some years to come, the settlement of this important question. I confess I have heard with surprise that some hon. Members have expressed a doubt as to the *bonâ fide* intentions of the late Ministers on the subject. Nothing, it seems to me, could have been more explicit than the promise made by the late Government. The *bonâ fide* nature of that promise was rendered evident (if indeed any extrinsic proof was necessary) by the antecedents of the Government, by the nature of certain attacks made upon them in organs of the Liberal party, and by their conduct subsequent to that promise. The friends of Tenant Right now universally acknowledge that the Bill introduced by Lord Derby's Administration in 1852 was in every respect an admirable Bill, and even the present Solicitor General for Ireland (Mr. Serjeant Deasy) has expressed his regret that it had not been carried. Many Members will doubtless recollect that it was a large body of Irish Liberal Members, headed by the late Mr. John Sadleir, who succeeded in defeating that Bill. Although Lord Derby's Government was overthrown, the Members of that Government did not give up the question. An eminent Member of the late Cabinet, Lord Donoughmore, brought in two Bills on the subject in February, 1854. Of course Lord Donoughmore's Tenant Right Bill contained compensation clauses. Objection was taken to it on that very ground. A Member of the present Cabinet, no less a personage than the Lord Chancellor, objected to any sort of compensation whatever. That learned Lord distinctly declared that "even prospective improvements were a fit subject for contract, and not of legislation." Another Liberal Lord Chancellor (Lord Cranworth) also declared that, in his opinion, "the noble Earl's measure went a great deal beyond what was just." When Lord Derby's Government was again restored to office, a deputation waited on the Chancellor of the Exchequer to urge upon him the necessity of a Tenant Right Bill. The conversation which the Members of the deputation had the honour of holding with the right hon. Gentleman on that occasion was directed altogether to the subject of compensation for improvements. Referring to that conversation, the late Chancellor of the Exchequer stated, in a few days after, that the Government were determined to settle the question in a manner which would be satisfactory to the Irish people. On the hustings of the University of Dublin the late Attorney General for Ireland referred to the Bill which Lord Derby's Cabinet had sanctioned. He stated distinctly that when the Bill became law it would have the effect of preventing a recurrence of cases such as those to which reference has already been made, where tenants are evicted and are refused compensation for their improvements. He actually described—as an example of the action of the Bill in this respect—a case in which a priest was refused compensation for his outlay on land, and he stated that the Bill would provide a remedy for all such cases. The organs of the liberal party in the press assailed the late Government for their Tenant Right sympathies. *The Saturday Review* said, that "Lord Derby's Government was the only Government that ever had the audacity to sanction Tenant Right." Such was the position of the case when Parliament met. Hardly had the House assembled when the right hon. Gentleman the late Chancellor of the Exchequer informed the Irish Members that the very first Bill to be introduced after the financial statement were the Irish Tenant Right Bill. Surely under such circumstances it was not unnatural that Gentlemen from Ireland who had at heart the interests of the Irish tenant, and who indeed value those interests more than they value the party interests in this House, should have given the late Government some support on a vote of want of confidence, taken as an Amendment to the Address. What was the result of that party move? I have heard with deep regret the answer which the right hon. Gentleman, the present Attorney General for Ireland, has given on this subject. The late Government had a Cabinet measure prepared. The present Government are not even ready to promise a Bill of any kind this Session. We are now informed that the subject will be carefully considered by the Irish branch of the Administration after the present Session has closed. If they determine on a Bill, they will report their deliberations to the Cabinet. The Cabinet will then proceed to consider the subject; and it is possible that the Government may be in a position to promise a measure of some sort or another next Session. The Tenant Right question is by far the most important in relation to Irish interests which has been agitated for many years. I earnestly hope the present Government will deal with it more speedily than they appear at present to think expedient. I can assure them it is a question, the urgency of which cannot be overrated. But, whatever course Her Majesty's present advisers may adopt, I feel confident of this, that when the people of Ireland know what has occurred, they will feel grateful to those Irish Members who voted a few nights ago in favour of the late Government.

THE DOCKYARD COMMISSION.

QUESTION.

Mr. KINGLAKE said, he wished to ask when the Report of the Dockyard Commission, which he understood contained some statements of a startling character with respect to management of the Dockyards, would be laid on the table of the House.

Sir FRANCIS BARING remarked, that there was a Vote in the Navy Estimates for the new Dovor contract; and if that were voted to-night the House would be affirming the contract. He apprehended that the House would much prefer waiting to have the Report of the Contracts Commission before they gave such affirmation. He brought the subject last night before the consideration of the Chancellor of the Exchequer, who told him that it should be considered by the Admiralty; and he hoped now to hear from the noble Lord in his reply to the question of the hon. and learned Gentleman that the Vote would not be called for till the Contract Commission should have reported on that particular contract.

Lord CLARENCE PAGET said, that in answer to the question of the hon. and learned Member for Bridgewater, he had to state that the Dockyard Commission had reported, and that their Report had been printed; but it was now before the Commission for correction. Before it was presented to the House it would be laid before the Board of Admiralty, and it would be for them to lay it on the table of the House of Commons. Previously, however, to this being done, he thought it likely that the Board of Admiralty would be desirous of receiving some communication from the Surveyor of the Navy, which he understood the Surveyor was desirous of making on the Report. As soon as these matters had been attended to, he believed the Report would be laid on the table of the House. With regard to the question of the right hon. Member for Portsmouth, relative to the packet vote, he thought it unlikely that it would come on to-night for discussion; but if it was the wish of the House that that vote should be postponed, Her Majesty's Government would not object.

Sir JOHN PAKINGTON said, he was fearful, from what the House had just heard, that a considerable delay would take place before the Report of the Dockyard Commission was in the hands of hon. Members. It was one of those Reports which he alluded to in the early part of the Session, and which he had promised to lay on the table as early as possible. Other Reports which he had promised had not been delayed; and he much regretted the unforeseen delay which had occurred in the preparation of this Report, on the very important subject of the expenditure of large sums of money in labour in our Dockyards. The first part of the answer he did not clearly understand. He thought the noble Lord had said that the Commission had reported, that the Report had been referred to the Admiralty, and that the Admiralty had referred it to their Surveyor. He was afraid, then, he must infer that a considerable delay would take place, but he hoped no unnecessary delay would occur before the papers reached the table of the House.

Motion *agreed to.*

SUPPLY.—THE NAVY ESTIMATES.

House in Committee.

Lord CLARENCE PAGET: Sir, I rise to submit to you these very large Navy Estimates. At all times it would be somewhat difficult for a Gentleman who had only been a very few days in a public department at once to take up the Estimates of the Session. But, over and above that, it does so happen that these Estimates are of an unusually complicated character. Many of the items in these Estimates are in fact not only original Estimates, but they have extraordinary Estimates attached to them, and Supplementary Estimates on the top of all. So that, upon several of the Votes, we shall have to consider three distinct classes of Estimates. Under these circumstances I hope I may claim the indulgence of the Committee; and if I fail in giving a proper explanation of the various items, the Committee, I am sure, will feel that it is not from want of the desire to give every possible information in my power, but that it is simply from the fact of my not having yet had time to make myself thoroughly acquainted with the subject. Before I proceed to plunge into this mass of figures I think the Committee will be interested, and that I shall only be doing my duty, if, in a few words, I endeavour to make them thoroughly acquainted with the exact state of our naval force at the present time. I desire to show you what forces we have ready for the defence of our coasts if any unfortunate circumstances should arise in which the honour and dignity of the country demand that we should engage in hostilities. I wish to show what we possess in effective ships, what we possess in reserve, and what we possess in ships building, or in course of construction, and in short to show the Committee what is in reality the present state of our naval property. I will first of all allude to the ships which we have now in commission. It will be for the Committee to decide as to what constitutes a sufficient defence of your coasts. Some will tell you, and my hon. and gallant Friend the Member for Southwark (Sir Charles Napier) is of that opinion—that you ought never, under any circumstances, to be without a very strong naval force actually in the Channel. Others think that it is much more advantageous that that which you call your home squadron should not be confined to these waters, but should cruise in the Bay of Biscay, which would afford it a more enlarged field of operation. That, however, is for hon. Gentlemen to decide according to their own opinions. My humble opinion as a naval man is, that for all circumstances in the defence of our shores we may consider that vessels anywhere in the Mediterranean and along the coast of Portugal are, to all intents and purposes, available for the defence of our coast in the event of war. Feeling this, I am now going to show you what you have got in commission at home and in the Mediterranean, and these two forces combined, form, in my opinion, what may be called your available force for the defence of your coasts. Now, we have in commission at home twelve sail of the line, all screw ships, and in the Mediterranean fourteen sail of the line; making a total of twenty-six steam ships of the line in commission. Those ships which are on the home station, especially those which have been very lately commissioned, are, of course, not fully manned; but, whatever faults we may find with the scheme of my right hon. Friend opposite, the late First Lord of the Admiralty, with regard to the late proclamation respecting a bounty, if the success of a measure is to be a test of its merits, at least I am bound to say that that measure has been attended with considerable success, as far as it has gone. The ships which have been most recently put in commission are naturally not fully manned, but with regard to the bulk of the great squadron which I am about to enumerate, they may in truth, for all practical purposes, be considered as vessels fully armed and fully manned, with the exception of those which have just been commissioned, and in all respects ready for service. I have said, then, that we have twelve sail of screw ships of the line in the Channel and fourteen in the Mediterranean, making a total of twenty-six sail of the line in commission. With frigates we are not quite so well supplied. We have twelve screw frigates and one paddle frigate on the home station, making together thirteen; and in the Mediterranean two screw frigates and one paddle, together three. Then with regard to corvettes, sloops, and gun vessels, I should wish to state that, with a view to making these statements perfectly clear to all, even those who have not an intimate knowledge of naval matters, I have simplified this as much as I possibly could. Hon. Gentlemen who are acquainted with naval affairs know that there are a vast number of intermediate classes of vessels, and to those who desire further information I can give it; but I think it will be more for the convenience of the Committee if I make but these three classifications—line-of-battle ships, frigates, and corvettes, including in the last sloops, and a variety of sized vessels. The Committee will then thoroughly understand what is our actual force in commission. Of corvettes and sloops, then, we have 6 screw at home and 26 paddle, making together 32; whilst in the Mediterranean we have 10 screw and 9 paddle; together, 19. The grand total of our force at home and in the Mediterranean amounts to 106 vessels in commission, besides a force of gunboats which are constantly varying in number, and moving about here and there. In addition to the 106 steamships in commission in the Channel and in the Mediterranean, we have ships on other stations all over the world, for the protection of our commerce and our Colonies; not such a force, indeed, as would be necessary in the event of war still sufficient for all the purposes of peace. In fact the total of our ships in commission, including sailing vessels, is about 200. Now that constitutes what I term our first line of defence, of which the more important part consists of the 26 line-of-battle ships. I come next to what constitutes our second line of defence. At this moment we have nine blockships which are manned by coastguard men, and which though not ships of the line are doing good service to the country by inducing sailors to join the fleet. They are employed in cruising about our coasts. Being vessels of light draught of water, they can get into ports which heavy ships could not enter, and, in fact, they are performing a most useful service as nurseries and recruiting ships for the fleet. I know that my hon. and gallant Friend (Sir Charles Napier) entertains great contempt for these coastguard ships. I believe he considers that they had better be put behind the fire and burnt as useless. [Sir CHARLES NAPIER: No, no!] I can only tell my hon. and gallant Friend that I should be sorry if these ships were not to be taken into consideration as valuable vessels for our coast defences. Some of the lot are in very fair condition; and by a slight alteration in their masting I believe we shall make them very valuable ships indeed. In accordance with what has been often recommended by my hon. and gallant Friend, who is really a very high authority, and whose opinions I am sure are greatly respected at the Admiralty, it is proposed by the Board that there should be placed in the principal ports of the kingdom three efficient line-of-battle ships as the head-quarters of the coastguard of those portions of the coast; the coastguard ships being meanwhile retained for the purpose of training and exercising the coast volunteers; it being found that the constant friction of heavy guns on the decks of vessels did a great deal of damage, and speedily unfitted them for the duties of effective ships of war. I cannot, in fact, speak too highly of these blockships, and I trust my hon. and gallant Friend will not be too hard upon them. Besides the handiness of the vessels in getting in and out of port, and their qualifications for drilling the men, it should not be forgotten that the men on board of them are acquainted with everybody in the locality. They do what was suggested to the Admiralty the other day; they give dinners of plum-pudding and roast beef to the inhabitants of the ports on Sundays, and thus induce a number of men to join the fleet. [Sir CHARLES NAPIER: When they come on board to eat the roast beef and plum-pudding.] There is no doubt that these blockships do a great deal of service, and I trust they will not be depreciated as a portion of our reserve or second line of defence. But there is a more powerful reserve than they, which would be available in the course of a very few days in the event of an emergency arising. We have on shore at the present moment, at the various coastguard stations, not less than 3,400 active, first-rate seamen, most of whom entered the navy during late years, served in the Baltic and Black Sea, and afterwards went into the coastguard. Moreover, attached to them is a body of coastguard volunteers, of whom there are at this moment upwards of 6,000 enrolled. Great differences of opinion undoubtedly prevailed with regard to the value of these coastguard volunteers. Some persons say that they will come forward to a man whenever wanted; whilst others say that they will make a poor show; but the result of the experience of an excellent officer, who has been at the head of the coastguard service, is now at the Board of Admiralty, and has paid great attention to this subject — I mean Commodore Eden—is, that you may count upon deriving from this body at any moment—as fast as the telegraph and railway can bring them to your ports crews for twelve line-of-battle ships. This, then, is no doubt a powerful reserve of seamen. Besides these, we have a number of marines and boys who are under instruction, and will soon be ready for service. The general result is, that we have got, first of all the force of ships which I call the first line of defence. We have next got the 9 blockships, which form the second line of defence, and the 3,400 coastguards-men, and the 6,000 coast volunteers, whom Commodore Eden considers you can always rely upon. His opinion is that you may also make certain of each one of the coastguard bringing his friend under his arm. The next question is, what ships we have got to put them into; and here I must pay a compliment to my right hon. Friend the Member for Droitwich (Sir J. Pakington), because I certainly shall be able to show that the construction of ships during the present year is really something stupendous—something marvellous even for this country. I have attempted to show you what you have in men; I now proceed to state what ships you have to put these men into in the event of an emergency. At this moment you have 10 sail of the line ready for commission; you will have 3 more in the course of the autumn. You have also 1 under repair; so that the total of your screw ships of the line already built is 40. You have, in addition to these, 10 ships of the line building, and 6 in process of conversion. Thus the grand total is 56 ships of the line, of which, by the end of the present financial year, we hope that 50 will be afloat. I am now about to depart a little from the usual rules of the Admiralty. I know there is a great dislike on the part of Boards of Admiralty to look into the future. They readily tell you of what has been done; but they are always guarded when speaking of the future, for fear they may not be able to do what they wish to do. I am willing to admit that it is impossible for any Board of Admiralty to tell you distinctly and exactly what it will do in the current year. The navy is subject to many and various contingencies which cannot be always foreseen, but, as a general rule, I believe that if a little more system, a little more method is introduced into these matters, you will arrive at a very fair average of the number of men that you require for your repairs, and, consequently, that you will not be obliged to take the men who are building ships, and put them upon the repairs of others. This is one of the questions which the noble Duke the First Lord and the present Board of Admiralty have taken into their consideration; and believing, as I do, that there will be no serious transfer of hands in the building department, I think I am justified in stating to the House what ships we hope to build in the course of the present financial year. I trust and believe, then, that by the end of the financial year we shall have 50 ships of the line afloat, 37 frigates, and 140 corvettes, sloops, gun-vessels, and other vessels of that class. The 50 sail of the line are independent of the 9 blockships. I have now told the Committee, as far as I am able to do so, what is your force of men and what your force of ships; and this constitutes the present preparation for the defence of the coasts of this country, but let no one for a moment suppose that this represents the entire force of England upon the seas. Why, Sir, we have got—I take it from a Return which was moved for a few days ago by my hon. Friend the Member for Penryn (Mr. T. G. Baring)—159 steam vessels over 1,000 tons each, and 72 between 1,000 and 700 tons each, together 231 merchant steam vessels, most of which might be quickly adapted to carry Armstrong guns, and thus prove a most valuable addition to the defences of the country. There is yet another source from which we can very largely increase our navy at any moment with regard to ships, and that is our commercial yards. Here is another Return which I think will be interesting to the Committee, according to which there are, in addition to the shipwrights employed in the Royal Dockyards about 10,000 shipwrights in Great Britain. Now, it is an old shipwright's maxim that 1,000 shipwrights can build eight men-of-war of 1,000 tons each in twelve months, consequently 10,000, which is the number that we have in the commercial yards in this country, could build 80 corvettes of 1,000 tons in twelve months, or at the rate of between six and seven per month. In the event of our being pressed for ships, then, there is no doubt whatever that, with a certain number of months' start—say three or four—we might build half a dozen of these very heavy corvettes per month in our merchants' yards over and above what we could build in the Royal Dockyards; and your steam machinery is in proportion. My object in stating these facts for the consideration of the Committee is to show what I think the public are extremely anxious to know—whether our navy is really in a state which befits the honour and dignity of this country, and I believe I may answer that by saying that our navy is in a state which befits the honour and dignity of the country. I do not say that we should not, in the event of war, have to call for additional men. I have no doubt that they would be required, inasmuch as at present we are within 2,000 men of the whole number voted. In fact, the Government have no power to commission any more ships than we have now in commission, but my firm belief as to ships is, that we have enough ready, or nearly ready, in the event of an emergency, to justify us in asking for a considerable addition to the number of men. Having, to the best of my limited ability, stated what is our present condition with regard to the fleet, I shall now endeavour to make these very large and very complicated Estimates intelligible to the Committee. Now, I will ask hon. Gentlemen to turn their attention to that portion of the Naval Estimates which contains the supplementary votes. It will be observed that the four first Votes of the original Estimates have all been taken, and, therefore, it would not be necessary that I should advert to them on the present occasion; but as there are many hon. Gentlemen present who were not in the last Parliament, I think it would be right to give them some information upon Vote No. 1, as to the numbers taken under the original and Supplementary Estimates. The original Vote was for 47,000 seamen; the supplementary Estimate which we are now considering proposes an increase of 8,000 men, making a total of 55,400 seamen, including the coastguard. With regard to marines, the original number was 15,000; and an increase has since been proposed of 2,000, making a total of 17,000. It will, therefore, be seen that the grand total of seamen and marines, including the coastguard, at present estimated, is 72,400. Now, Sir, the first item in this Vote No. 1 is the usual charge for wages; it is, therefore, unnecessary to remark upon that. The second item is £13,000 for an increase of pay to seamen gunners, and this has been inserted in accordance with the recommendations of the Royal Commission upon manning the Navy. Items three and four are to meet the increased pay to officers and chaplains of the Royal Navy. Now I for one, and I believe the feeling to be general, approve of this act of consideration and justice on the part of the late Government towards these valuable officers, but I am bound to tell the right hon. Baronet the Member for Droitwich (Sir John Pakington) that I do think he would have pursued a more just course if, while considering their claims, he had also paid attention to the claims of those in every way equally entitled to consideration, namely, the paymasters, masters, and engineers. I trust, however, that the present Board of Admiralty will examine into the position of these officers, and if necessary be able to supply any shortcomings in that respect. The next amount is for good-conduct pay, and allowances to petty officers after promotion. This again is granted in accordance with a recommendation of the Royal Commission. These petty officers were, in fact, in a worse condition with respect to good-conduct badges than when they were the able seamen themselves. Then comes a sum of £31,000 to provide a bounty for seamen volunteering their services in the Royal Navy. Sir, this question of bounty involves considerations very importantly affecting the Royal Navy. There cannot be a doubt that in a great emergency it is perfectly justifiable for the Government to give a bounty as an inducement for seamen to enter the service. Whether that exigency has arisen it is not for me in my subordinate position to assert. But this I do say, that it is perfectly impossible to avoid taking into consideration the case of those seamen who belonged to the Royal Navy before that bounty was given. As far as the army and marines were concerned, no objection has ever been raised to the bounty system. There it has been the constant practice; there has been a gradual but a continuous growth of the corps; every man has received the bounty, which has varied in amount only in accordance with, if I may use the term, the market price, increasing or lessening as the case may be. But in the navy it has not been usual of late years to give any bounty. It has therefore become necessary for Her Majesty's Government to take into consideration the case of those seamen who have not participated in this bounty. By an Act of Parliament passed in the year 1853, I think it was the 16th and 17th of Victoria, it was enacted that if a bounty was offered to volunteers for the fleet, that original seamen should have no right whatever to participate in such a grant. Therefore in the present instance they have no legal claim to participation. But Her Majesty's Government, considering that this is quite a new thing in the navy, and, moreover, the excessive amount of the bounty, and I cannot describe it in stronger colours than by stating the fact that it consists of £10, a suit of clothes, and bedding to every man—

Sir JOHN PAKINGTON: For continuous-service men only.

Sir CHARLES NAPIER: Besides the mess utensils.

Lord CLARENCE PAGET: Considering the excessive amount of that reward to men, who, although they are able seamen, are really very inferior to the thorough man-of-war's seamen in their ability to perform the various duties of a ship, Her Majesty's Government think the position in which it has placed those men with reference to their comrades already in the service is one not altogether of a satisfactory nature. Now, it is right to say that these men have not uttered one word of complaint. Their conduct has been noble in the extreme. I have been astonished at the fact, that so far as I am aware, there has not been one word of discontent or complaint uttered in any ship in the fleet. Sir, Her Majesty's Government have resolved to deal generously with these men. I am not at this moment enabled to give the details of the measure that is proposed to be carried out. A Privy Council was held to-day, and an Order made upon the subject will be issued to-morrow; but I think it is advisable that I should not enter into any details further than to state that a portion of this bounty, in proportion to the position which these men hold, either as able seamen, ordinary seamen or second-class ordinary seamen, will be granted to them upon certain conditions. I would gladly state those conditions, and the amount proposed to be granted, but I need only say that my belief is, that the boon will be received throughout the fleet with gratitude and joy. But, Sir, I must say that I think this general question of bounty is one that any Government ought very carefully to consider before they again resort to it. I cannot see what circumstances occurred in the month of April, when this Proclamation was issued, to justify the proceeding. That Proclamation I think had rather the air of an ukase of the Emperor of Russia than a measure undertaken by the Government of a constitutional country, and I think that Parliament should have been consulted, before a measure so fraught with great and important consequences to the welfare of the Royal Navy was decided upon. Now, Sir, I wish to impart a piece of information which will be found very interesting, and I think I may say very amusing. It is a return showing the difference between the results obtained by the present system of manning the Navy, and those arrived at in the horrible days of impressment. It shows the number of men who were pressed into the service, and the number of those who deserted during the years 1811, 1812, and 1813, which were the three last years of the period during which that system was pursued. There were pressed into the service 29,405, while the number of those who deserted was 27,300. So that the total gain to the country during those three years by impressment was 2,105 men. But in order to bring these men thus compulsorily into the service of the fleet, a force of nearly 3,000 good sailors had been employed on shore as pressgangs. Therefore the country actually lost about 1,000 men during those three years under that horrible system. I think it will be admitted that these figures furnish an unanswerable argument against the advisability of reverting to such a mode of manning the Navy. I hope I have given no cause of offence to my right hon. Friend opposite (Sir J. Pakington) in making the remarks I have deemed necessary upon this question of bounty. I can assure him that all the officers of the Navy have felt very strongly that it is a question in which the future welfare of our Navy has been somewhat jeopardised. I trust that no evil effect will arise from it; but I must confess it to be my opinion, that if it had been brought before Parliament, we could have shown reasons why that measure should not have been carried out, at all events in a manner so excessive. But, Sir, I promised I would state to the Committee what had been the success attending it since the 1st of May, when the order was issued. The total number who have entered and received the bounty is 5,730, of which there are 1,437 able seamen. Now, I am bound to say, I think that is a very fair proportion, and therefore, as I have said before, as far as its success is concerned, the measure may be considered to have possessed great merits. Now, Sir, the next vote which we come to is No. 2 in the Supplementary Estimates—the victualling Vote. Here we have the usual charge for the purchase of provisions and victualling stores. There is also a sum for increased rations of biscuit and sugar for seamen and marines when afloat. This is another excellent recommendation of the Royal Commission which the late Government carried out. There is also the gratuitous issue of bedding and clothing to which allusion has been made. Then in Vote No. 3, of the Supplementary Estimates, a sum of £3,000 is asked for to provide for the employment of additional clerks of the Admiralty rendered necessary by the great additional amount of correspondence which so large an increase of the fleet has naturally entailed. Then we come to Vote No. 4—and I beg my hon. Friend the Member for Sunderland (Mr. Lindsay) to pay especial attention to this. It is to meet the expense of forming a volunteer reserve corps of seamen, in pursuance of another recommendation of the Royal Commission. The hon. Gentleman has given notice of a Motion to defer that Vote until more information can be obtained respecting it; but I hope that the few observations I am about to make will prevent him from taking that course. He is aware that the Royal Commission of 1858 recommended that a sum of £200,000 should be taken for a variety of matters of detail upon which I need not trouble the Committee for the improvement of our reserves. One of the items was for school ships, another for the annual payment of £5—a sort of retaining fee—to 20,000 men; another related to an annual payment of £1 per man to a pension fund, and a fourth was for training gunners; the whole amounting to £200,000. The late Government before quitting office took a long time to consider these matters, and then they arrived at the conclusion that £100,000 should be the sum included in the Estimates, and I believe prepared various Bills for the purpose. Well, Sir, it would be deceiving the Committee if I were to say that the present Admiralty, having been in office since last Friday only, have had time to go into a vast measure of this sort; the amount of business we have had to go through has entirely precluded any consideration of these matters. But, Sir, we felt it would be obviously impolitic and unnecessary to exclude this sum from the Estimates, because we had not been able to arrive at any knowledge of the details, and we therefore retained it, and have left them for future consideration, when we shall prepare a Bill or Bills to carry them into effect. In the meantime not one shilling of this money will be spent. The hon. Gentleman will therefore observe that there is no necessity for him to press his Motion, because if the House should not think fit to concur in passing the Bills necessary to carry out the recommendation of the Commissioners, necessarily this money will not be spent; but, on the other hand, it will be immediately available. I therefore trust he will rest upon the full assurance from me that not one shilling of this money shall be spent until an Act of Parliament has passed authorising us to apply it to the improvement of our reserves. I will now pass to the original Estimates. Up to this Vote, as I stated before the Committee had already passed the original Estimates, and I have therefore up to the present time only been considering and explaining the Supplementary Estimates. But now I must go into a little wearying detail, because not a fraction beyond the amounts I have mentioned has been at all considered, although money has been taken on account of the whole of the remaining Votes. We therefore begin with Vote No. 5, as to which, as well as Votes 6 and 7, I need not make any observation. The first relates to the pay of the draughtsmen in the scientific department in which there is a small increase; the second to Her Majesty's establishment at home, but there is nothing worth attention in them. I may say the same of Vote 7 relating to the establishments abroad. Upon Vote 8, however, I have a few observations to offer. It will be observed that besides the large amount for shipwrights there is an extraordinary charge here which I think we may call the reconstruction Vote. Those two amounts are to be expended upon two distinct objects, but beyond them we have got a supplementary Estimate under the head of wages to artificers to a very large amount which I will immediately proceed to explain. The history of this transaction I believe to be as follows. Up to March last the dockyards were working in their usual way upon day pay; there was no particular pressure upon them, and the men were all receiving their day's pay for their day's work. But in the month of March my right hon. Friend (Sir John Pakington) on behalf of the late Government, thought fit to commence a system of class and job work, and also to enter a considerable additional number of artisans. There were 1484 shipwrights entered in addition, besides a corresponding number of other tradesmen and labourers. In April, again, the right hon. Gentleman—I suppose from circumstances connected with our foreign policy—considered it important that we should make additional exertions for fitting out and preparing our fleets, and he commenced a system of over-hour working; that was to say, besides the institution of task and job work men were allowed to work over time. So matters continued until the month of May, when a further large increase was made of no less than 1350 shipwrights and other artificers and labourers, making the total number of men now employed in our dockyards 17,690, as against 14,128, the number of men in the beginning of March. This is a very great increase, but I believe that that increase was absolutely necessary, and I think that the right hon. Gentlemen deserves great credit for having boldly taken this heavy matter in hand, and for having decided upon getting over this necessary and important work in our dockyards with the least possible delay. Well, Sir, Her Majesty's Government upon coming into office, looked very carefully over this Vote, and we sent for the Surveyor of the Navy, Sir Baldwin Walker, and asked very particularly to what period this additional Vote would provide the pay for these additional men, and he stated to us that it would only pay the men up to, I think, the month of October next. The Government, under all the circumstances, thought it would be very unwise that that body of men should be discharged at a moment when the short days of winter were coming on, when work all over the country was very scarce, and, moreover, when we have a vast amount of work still to be done in the dockyards, for which the services of those men were originally required. The Government, therefore, resolved that they would continue these men on until the end of the financial year; and for this purpose, it will be observed, that we have taken an additional sum of money, amounting to £100,000 over and above the sum which the right hon. Gentleman (Sir John Pakington) proposed in his supplementary Estimate. It has been said that the present Government were going to cut down the expenditure in the dockyards, and cease the efforts which are being made to put our navy on a good footing. I think that, after what I have said, the Committee will not find any fault with the Government on that score. The next Vote is No. 9, for artificers employed in Her Majesty's establishments abroad, and in reference to that I do not think that there is anything with which I need trouble the Committee. I now turn to Vote No. 10, and upon this Vote I wish to say a few words, because on the subject to which this Vote relates I have sometimes myself, when not in office, taken the liberty of making some remarks in this House. Up to the present year we have not had much information given to us as to the way in which the money granted by this Vote has been spent. There has always been taken a large sum for materials for ship-building, and that is all the information which the House has ever received in respect of the Vote. I have been endeavouring to ascertain whether some sort of information could not be given to the House to enable hon. Members to judge what amount of tonnage has been built during the past year in our dockyards. We have very often heard little disputes which have taken place between very high authorities as to the quantity of ships built in this or that time, and I remember that the right hon. Gentleman opposite (Sir John Pakington) claimed some line-of-battle ships, which were the property of my right hon. Friend (Sir Charles Wood) in all right and by all rule, for they were built during the time the right hon. Baronet the Secretary for India was at the Admiralty, though they were finished under the reign of the right hon. Gentleman (Sir John Pakington). I think that they were rather improperly taken possession of by the right hon. Gentleman as having been built during his time. For the purpose of avoiding these discussions for the future, and of giving the Committee a just idea of what has really been done in the dockyards, I have endeavoured to ascertain the exact amount of tonnage built during the year. This is the fairest way of showing at once to the House what we have got for our money. During the past year we have built in tonnage of line-of-battle ships, 10,604 tons; in frigates 5,851 tons; in corvettes, 1,193 tons; and in sloops and gun vessels, 1,511 tons; making the total tonnage built, up to the end of the last financial year, 19,159. Then comes the question, what shall we do this year? And this is what I wish to draw attention to, as showing the enormous power of our Dockyards in building. During the present year, supposing that our scheme is carried out, and that no unforeseen contingency should arise, we shall build of line-of-battle ships 19,606 tons; of frigates, 15,897 tons; of corvettes, 5,130 tons; and of sloops and gun vessels, 5,651 tons, making a total of 46,284 tons which will be built this year, against 19,159 tons last year. During the last year we converted five sailing line-of-battle ships into screws, and in the present year we are in process of so converting five more line-of-battle ships, in addition to four 50-gun sailing vessels, which will be turned into screws. This is entirely exclusive of contract-built ships. I now wish to show what the country has got for its money in respect of engines. We have at this moment in course of construction for ships building 14,570 horse power of engines, and orders have been given for 2160 horse-power more, making a total horse-power of 16,730. That is the way in which the money appropriated under the Vote is to be expended, and I hope that the noble Duke at the head of the Board of Admiralty will permit me next year to place the details of this Vote on the table of the House, with the Estimates, that hon. Members may judge of the way in which the money they have voted has been spent. I can assure the Committee of the earnest desire of the noble Duke and of the Board of Admiralty to give every possible information upon these matters. I find I have one further remark to make in reference to Vote 10, and it refers to the enormous sum of money that is taken in the original Estimates for ships built by contract. There is £252,000, a first instalment for two iron-cased frigates, and there will probably have to be voted for these vessels a further sum in addition, but I am not prepared to say how much that will be. One of these vessels is commenced, and is to be launched by the 1st of April; and in addition, they would find in the supplementary Estimates a Vote for eighteen very superior gun vessels now building by contract. With regard to Vote 11, I should be deceiving the Committee if I told them that I could give them any real information as to this Vote for new works. The Committee will quite understand that the present Board of Admiralty has had no time to go through any one of these contracts. There is a vote for lengthening docks, but that is one of those luxuries that we enjoy every year; because as we build bigger vessels we must have bigger docks, and I suppose we shall go on doing so until some day there will be a change and we shall begin to build our vessels smaller again. [Sir CHARLES NAPIER: Hear!] On the 12th and 13th Votes, I have no remark to offer to the Committee. The 14th is the Vote for half-pay, and in the Supplementary Estimate on this an addition is asked for on account of the increase in the scale of the half-pay of medical officers and chaplains. It had reference to the order to which I adverted when explaining Vote 1 for full pay. Vote 15 is for military pensions, and is of the usual character. There is a supplementary Estimate to Vote 17, which contains a large sum for freight of ships for the conveyance of troops to and from the Colonies; and the fact is that during the last few months the Government has thought fit to reinforce the Mediterranean colonies, and this has made a considerable increase in the Vote. The last Vote I have to allude to is that for the Packet Department—Vote 18. In the original Estimate there is nothing that calls for any remark; but there is a supplementary Estimate for the conveyance of mails to and from Dover to Calais, and Dover to Marseilles, under a new contract; and as this vote is entirely under the control of my hon. Colleague the Civil Lord of the Admiralty, I trust the Committee will allow him to make any explanation necessary in reference to it. I have now, to the best of my limited ability, explained these very complicated Votes, and I am conscious that I have omitted a vast amount of interesting detail that it was my duty and my desire to lay before the Committee. In the course of my remarks I have necessarily been obliged to refer to that which took place under the late Government, and I hope that nothing that I have said has been at all offensive to the right hon. Baronet (Sir John Pakington). I have no desire to do anything but frankly and candidly to state that which in my opinion, as a naval man, it is necessary to state upon a subject which has lately much occupied public attention. If there is one thing more than another which it is to be hoped will be debated in this House, without reference to party politics, it is naval matters. We are all clearly interested in keeping up this right arm of England's glory, and I therefore trust that in discussing these Estimates there will be an entire absence of anything like party spirit, and that we shall all enter into the question with the most earnest desire to put our fleet in the most efficient state. We do not desire war, we desire peace; and the great preparations making to arm our fleet do not arise from any desire of aggression or to disturb other countries. Far from it. I believe that it is the earnest desire of every man in this country that the horrible and bloody war now raging may be speedily brought to an end. I trust that what we have lately heard may be the forerunner of what we so ardently desire—peace. But

> "With common men it needs some show of war
> To keep sweet peace"

were words used by the immortal Shakespeare 300 years ago, and they are equally true to the letter at the present time. I trust that the remarks I have made will receive the kind indulgence of the Committee.

Motion made, and Question proposed,—

"That 10,000 additional Men and Boys be employed for the Sea Service, for eleven calendar months, ending on the 31st day of March, 1860 including 2,000 Royal Marines."

SIR JOHN PAKINGTON: After the speech of the noble Lord I am happy to say that I shall not think it necessary to detain the Committee at any length, nor have I the slightest complaint to make of the tone and manner in which he has treated this subject. On the contrary, I am anxious to bear my testimony to the ability with which he has performed his duty, and considering the very few days which he has held his present office, the Committee must feel that it is highly to his credit. I am bound, too, to acknowledge the candour and fairness with which he has referred to the efforts made by the late Government to increase the efficiency of the navy. He has confirmed that which I felt it my duty to state as to the force which we turned over to our successors, that having found when we went into office 26 line-of-battle ships—12 in the Channel and 14 in the Mediterranean—we left behind us 40, which number will be increased to 50 by the end of the present year. I heard from him, too, with the greatest pleasure, that the present Government intend to adopt the whole of the Estimates of the late Government, unusually large as they undoubtedly are. In fact, after the statement of the noble Lord, the House and the country must rather begin to wonder why the late change of Government took place. There are two subjects of paramount importance in the public mind just now—our foreign relations, and our national defences. We have had the most distinct assurance from the noble Lord at the head of the Government that, with regard to our foreign relations, the present Government are content "to walk in the path chalked out for them by their predecessors." They have adopted our policy, and they make no complaint of it. And with regard to our national defences, I have the double satisfaction, as a member of the late Government and as an Englishman, of hearing from the noble Lord tonight that our Estimates are accepted and our plans approved. I confess, therefore, I am at a loss to know why we forfeited the confidence of the House of Commons; but, having forfeited it, it is satisfactory to have the compliment paid us of being told that our successors can do no better than tread in our steps, with regard to these two subjects of paramount importance. The first statement made by the noble Lord was that the Government, in deference to the views of the hon. and gallant Member for Southwark, had determined to place three superior line-of-battle ships in stations round the coast. I should like to have some further explanation on that point. I presume they are to be deducted from the Channel fleet. [Lord C. Paget: No, they are three ships which are ready to be commissioned, but are not yet in commission.] In that case I think the measure may be a very prudent one. The noble Lord next alluded to the course taken by the late Admiralty with regard to the medical officers and chaplains, and he seemed to make some complaint of our not having remedied the grievances urged by the masters and paymasters. As the noble Lord has been but a very short time in office he can hardly be aware of the attention which was paid by the late Board of Admiralty to the complaints of the latter classes of officers. It is true that we had arrived at no final decision on the question, but we had recognized their fair claim to have their complaints considered, and I left in the hands of the Duke of Somerset a written memorandum, explaining the views of the late Board of Admiralty on the subject, and showing that it was their full intention to deal with the complaints of these officers. I wish to prevent the existence of an impression which would be as erroneous as it would be unfair towards the late Board of Admiralty, that they had declined to entertain the complaints of the masters and paymasters. It was merely the want of opportunity, arising from the change of Government, which prevented us from dealing with the complaints of these classes of officers in the same spirit in which we had dealt with the complaints of the surgeons and chaplains. I will now advert to what fell from the noble Lord with reference to a most important subject, upon which I wish that he had afforded us more information—the intentions of the Government with regard to an extension of the bounty. The noble Lord has on former occasions avowed his disapproval of the principle of a bounty, and I think, considering that circumstance, that he treated the subject with the utmost fairness. He admitted, with as much fairness as if he had been one of the strongest supporters of the bounty, that the experiment has been completely successful, and I do not think it is presumptuous to say that the success of that measure is in a great degree a test of its merit. [Sir Charles Napier: Hear, hear!] I am sure no one will deny—and the noble Lord and his colleagues would be the last persons to do so—that, considering the state of public affairs in Europe three months ago, it was the imperative and bounden duty of the Government to lose no time in giving England an efficient fleet. How, then, was this to be done? The measures which the late Government intended to introduce, and with which the present Government, I am glad to say, intend to proceed, consequent on the Report of the Manning Commission, had not been matured, and the only resources to which we could turn were the coastguard and the naval coast volunteers. Would it have been politic on our part to turn at once to the last resource? I do not believe any man would have recommended such a policy. How, then, could we obtain a fleet? Only by offering a bounty. It happened that at that moment, from different causes—partly owing to the prevalence of easterly winds, and partly owing to its being the season when the Baltic and the North American trades were just commencing—an unusually small number of merchant seamen were available in our ports; and unless we had adopted the principle of a bounty, and a large bounty, we could not have turned over to the present Government 26 line-of-battle ships and 13 frigates in a state of perfect efficiency. We had no hesitation in adopting the principle of the bounty, and, although I am sorry the noble Lord doubts the wisdom of that measure, my consolation is that I believe he will be almost alone in that opinion. The noble Lord says the bounty is excessive. I told the House on a former occasion that the bounty was certainly high beyond any precedent; but if we had not made the bounty high beyond all former precedent we should have failed in our object, and we should not have succeeded in manning the fleet. I believe that no bounty has been resorted to in this country since 1815, and it must be remembered that in the interval immense changes have taken place in the general condition of seamen, and in their rate of pay. I think, when the accidental scarcity of seamen, and the high rates of pay offered in the merchant service three months ago, are borne in mind, very little consideration will convince the House that it would have been perfectly useless to offer a low bounty. In fact, if we had not offered a high bounty we should not have been successful, and I believe that by the course we adopted we have obtained the fleet we required. My earnest hope is that the adoption of a sounder system, providing a steady and permanent reserve for the supply of the navy, and carrying into effect the recommendations of the Royal Commission, will prevent future Governments from being compelled to resort, as we were obliged to do, to the unusual stimulus of offering a very high bounty. I now approach a statement of the noble Lord which I heard with great surprise, and, so far as I understood him, with great regret, and I am sorry that the noble Lord did not furnish us with some further explanations on the subject. He told us that a Council had been held to-day, and that an Order in Council was to be issued, but he did not tell us what was its object. If I understood him rightly, the Government have made up their minds to extend the bounty to other seamen who were previously in the service. [Lord C. PAGET: To a portion of them.] I think I have some right to complain of the imperfect explanation afforded by the noble Lord on this subject, and, although I will not presume to censure a measure which I so imperfectly understand, and, on that ground, I express my opinion very guardedly, I must say I am afraid the Government have established a precedent which may hereafter be found most inconvenient and objectionable. I think the noble Lord's statement did not justify the course which I understand the Government have determined to adopt. He frankly declared that there had been no dissatisfaction or discontent in the fleet. When we offered a bounty we were told, I believe by my hon. and gallant Friend near me (Sir Charles Napier) and by other very high authorities —"The certain result of your measure will be to spread discontent and dissatisfaction throughout the fleet, and you will be obliged to extend the bounty to other men." I never felt more firmly determined—and my colleagues completely concurred with me—to resist any such demand, and my opinion has been justified by the result. The noble Lord has admitted, in the broadest terms, that there has been no discontent or dissatisfaction among the seamen. He has told us that the Government have determined to deal generously with the seamen of our fleet. In that principle undoubtedly I concur, but I say that we have dealt generously with them. The noble Lord has told us that when we examine the Estimates in detail we shall not only find charges for the bounty, but for those new allowances and advantages, such as clothing, bedding, and other things, the grant of which, I think, shows a disposition to deal with seamen in a most generous spirit. But upon what principle do you think it necessary to extend to men who were previously in the service the bounty which we offered to induce other men to enter it? I entreat the Government to recollect that this course is wholly without precedent. I believe that there have been three occasions on which a bounty has been given, but in no instance has it been extended to seamen previously engaged. The right hon. Member for Carlisle (Sir James Graham) told us on a former evening that, at the commencement of the Russian war, the Government of which he was a member abstained from giving a bounty to seamen. I think he did not explain why that course was adopted, but, if I am not very much mistaken, the main reason was that an Act passed in 1835, the 5th and 6th *William* IV., contained what I think a very unwise clause, providing that whenever a bounty was offered every sailor then in the fleet was to start a new engagement for five years, and in consideration of such new engagement was to receive the bounty. It is quite clear that the Government of which the right hon. Baronet was a member shared the opinion I now express as to the impolicy of that provision, for under his auspices I believe in 1853 an Act was passed by which it was repealed, and the necessity of extending a bounty to seamen previously in the fleet ceased to exist. The clause to which I have referred, whether wise or unwise, was never acted upon, and I fear, if the Government now introduce for the first time what I think a dangerous principle, that you cannot on an emergency offer a bounty to man your fleet without incurring the great and unnecessary expense of extending that bounty to all men who were previously serving. The practical result will be to deter Governments, on account of the large and serious outlay thus involved in it, from resorting to this most useful measure—one, I admit, which ought not to be lightly adopted, but which may be most valuable when some pressing occasion may arise. The noble Lord complained of the form of our Proclamation in regard to bounty, comparing it to a Russian ukase. [Lord CLARENCE PAGET: I meant that it was an arbitrary proceeding, being without the sanction of Parliament.] I admitted on a former occasion that the late Government took upon themselves a very great responsibility, and the step was subsequently sanctioned by Parliament. I thought it was to the form of our proclamation that the noble Lord objected, and I was about to say that in drawing it up we strictly followed precedent. I am glad that the Government intend to introduce a Bill for carrying out the Report of the Commission on the manning of the navy; but at the same time I must beg leave to say the late Government are not open to the accusation that has been repeatedly made against them as to their having been very slow in arriving at a decision on this point. I beg leave to say we do not in the least deserve that charge. The Commissioners reported in the month of February, the Government had to consider their report, and the noble Lord seems to have forgotten that for a considerable interval of time there being no Parliament sitting, it was impossible for the Government to announce their decision. A few weeks only had elapsed after the presentation of the report before Parliament was dissolved, and in the Queen's Speech, delivered on its reassembling, there was an intimation that this point had been decided. We could hardly, therefore, have been more expeditious in the matter. The noble Lord also alluded to the great number of shipwrights that we added to the dockyards in order to accelerate the shipbuilding operations now going on, and he announced the change which the present Government have resolved to adopt, at a cost to the country of about £100,000. I am not prepared at this moment to give a very decided opinion one way or the other as to the policy of what the Government have done; but one part of the noble Lord's reasoning I cannot accept. He says it would be very hard on the shipwrights that they should be turned adrift just at the time of the short days after having been employed all the summer by the Government. Now, however natural this feeling may be as between man and man, I must say that in dealing with the public money you are hardly justified in spending £100,000 to maintain shipwrights whom you do not want. The great question is, "Do you require them or not?" If you do, then the Government deserves credit for employing them, and certainly had we remained in office, and the services of these men had been called for at the end of the six months, we should not have hesitated to retain them. The course we took was founded on the recommendation of the Surveyor of the Navy. Sir Baldwin Walker came to the late Board of Admiralty and suggested that an additional force of shipwrights should be taken on for six months to expedite particular works and to clear off arrears. Upon his advice we determined on engaging these 1,300 extra shipwrights for that period accordingly; and if, at the end of the first six months, he had informed us that the men would be wanted for six months more, we should then have undoubtedly thought that a sufficient justification for our taking the course now adopted by our successors. That is a matter of which the Admiralty must be the best judges. If they are prepared to assure the House that the work in the dockyards is in such a state that it is desirable for the interests of the public service, and not merely on grounds, as it would rather appear, of private charity, that these men should be kept on for the whole financial year, then I certainly will not offer the slightest objection to their proposal. The noble Lord next stated that I claimed credit for ships which really belonged to my predecessor. Sir, I do not know of anything that has passed or that has fallen from me on which this assertion is based; but I must in the most distinct and emphatic manner repudiate any intention ever to make any such claim. And let me add that I think we have had a little too much party feeling and party views mixed with our discussions relating to the navy; and I quite agree with my noble Friend opposite that the more this is avoided the better. I am content with having, during the period I had the honour to be at the head of the Admiralty, endeavoured to do my duty to the country as well as I could. What I have done has been most kindly acknowledged, and by none more than by some distinguished members of the present Government. I have no wish to detract from the merit due to other men; and if party discussions on this subject have reluctantly on my part been forced upon me, I, for one, do not want to renew that of which we have had too much already. This great question of restoring the strength of the British Navy, and keeping it up to the point at which it ought to be maintained, is one of such paramount national importance and intense interest at this moment that it infinitely transcends everything which savours of party. As I have endeavoured to do my own duty in this matter, I doubt not the present Government will also endeavour to do theirs; and I am sure that no man in this House will give to their services a fuller or more frank recognition than I shall.

SIR CHARLES NAPIER said, he quite agreed with the right hon. Gentleman (Sir John Pakington) in his opinion as to the admirable manner in which his noble Friend had introduced the Estimates. He had done it in a clear sailor-like manner. The gallant Officer had told the Committee that he had got the Channel fleet up to 12 sail of the line; and he quite agreed with him that it was not desirable to confine that fleet to the Channel. What was objectionable was that they should have been lying in harbour from the time they were got up almost to the present moment. It was gratifying, therefore, that the new Board of Admiralty had sent them to sea to smell a little of the fresh breeze. The great mistake was that ever since they had been put in commission they had remained in harbour. They had only made one short voyage, some to Gibraltar and others to Bantry Bay. The Channel fleet, to be maintained in good order, ought to be constantly on the move. Portland was a fit place for the head-quarters; but they should go to Torbay, then to Plymouth, then to St. Helen's, and thence to the Downs, in order to give experience to the officers and captains,—aye, and to the Admirals also. The knowledge how to sail a fleet could only be learnt by constant practice. This practice they had not yet had, and he was glad the present Admiralty intended to give it. The ships ought not to be practised separately, but should go out together under the Admirals. When he had the honour to command the Channel fleet he could say, though he was not fonder of praising himself than the late First Lord was, that the ships were kept in efficient condition, and he did not believe a smarter squadron had ever been seen. He did not say the ships should be kept at sea in gales of wind, but they might be out all through the summer. It was our duty to exercise our navy in the same way that other nations did. With regard to the vexed question of block-ships, upon which so much had been said and upon which so much money had been thrown away, he would suggest that they might be employed in the different ports for practice purposes. The noble and gallant Officer must know, however, that there were five of those vessels which were utterly useless. He was happy, however, to find that they were about to be replaced by efficient ships, but he did not want them to be destroyed. Then, again, with regard to the reserve. The coastguard were old sailors, and there were no better men sent to the Baltic. As to the coast volunteers, he believed with Commodore Eden, that they would come forward when they were called upon, if they were properly treated, and not sent some to one place and some to another, but made available for manning the ships at the naval stations to which they belonged. But suppose the ships manned, where were the officers to command? Where were the captains and lieutenants to command the men? whereas at one time we were overwhelmed with officers, captains, lieutenants, and cadets. He wished to know how our navy had been reduced to this state. We had been asked for £100,000 for seamen in reserve, but that was not the way to get our reserve. He had stated in letters to various First Lords of the Admiralty the natural way of getting a reserve of seamen. In the first place, we should have a Channel fleet of never less than 10 sail of the line. It was as necessary to have a fleet ready as it was to have troops ready. The whole of our fleet should be composed of able seamen. In case of emergency, part of those men could be removed to ships manned to a great extent with coastguards-men and volunteers. We could thus have 30 sail of the line at a cost of little more than that of 10 sail of the line at the present moment. If the state of our navy were as had been represented by the noble Lord, he did not think there was any nation in the world that would attempt to show their face against us for a moment. The Secretary to the Admiralty had stated that in case of necessity the navy could be reinforced by 231 merchant steam vessels. That was all nonsense. Months would be required to fit out those vessels, and in the meantime what was to become of the merchant service? We must trust to our navy, and with 50 sail of the line we might defy the world. They must remember, however, that 50 or 100 sail of the line did not compose a navy. The vessels were no more than fortresses without troops unless they had sailors to man them, and therefore he trusted no reduction in the number of men would be thought of. The payment off the fleet in 1857 and the consequent necessity of getting it up again had cost more money than the maintenance of it in an efficient state at its full force would have done. He now came to the question of bounty. The House had been told that the Government were prepared to give the men actually entered a portion of the bounty which they were offering to new hands. So far well, but the men would not be satisfied with a portion of the bounty; they must have the whole of it. The refusal of the bounty had produced a soreness in the fleet, but if the men were to receive what was fairly due to them there would be no more murmurs of discontent. It appeared from the statement of the Secretary to the Admiralty that in the years 1811-12, in the middle of the war, something like 21,000 men deserted from the fleet. Well, that was nothing remarkable, for in those days the pressing system was in full operation. The fleet was now manned by volunteers, and yet from the 1st of January, 1854, to the 31st of December, 1857, no fewer than 11,250 seamen and 1,775 boys deserted. Nothing could show more clearly the bad state of the navy. If the seamen were properly treated, desertion would be rare. What had the Admiralty been doing? The members of the Board were well paid by the country for looking after the fleet, but, nevertheless, they had shamefully neglected their duty. No steps had been taken to prevent desertion, and he was afraid that, unless Parliament interposed with a strong hand, nothing would be done. Why should the Admiralty not establish an efficient police in all the sea-port towns? Let the men be well treated while they remained in the navy, and let deserters be severely punished. The gallant Officer had stated that our ships were formerly too short. That was quite true. He added that they were now too long. This was also his (Sir Charles Napier's) belief. We could sail very well with these ships upon the broad sea, but how should we navigate vessels of such length in narrow waters like the Baltic, with its rocks and shoals and difficult harbours? These were questions which the Admiralty ought well to ponder over. The noble and gallant Lord had asked for indulgence, and that the House would cheerfully grant; but the system which tolerated such frequent changes at the Admiralty was a vicious one, and required alteration. In seven years we had had five First Lords, while all the other members of the Board had been changed as well. Remembering this, nobody could wonder at the waste and extravagance which had prevailed. Not that he wished the Lords of the Admiralty to remain too long at their posts, for in that case they would be likely to get into the old ruts; but if they were changed once in five years, he thought that would be a satisfactory arrangement. He wished now to allude to the manner in which the men were treated in Greenwich Hospital. All the officers there had their pay, and pensions for wounds as well; but the poor sailor enjoyed no such privilege. He was deprived of his pension for wounds if he went into the hospital, and all he got was 1*s.* a week, which might buy him a little tobacco. There was no employment by which he could add to this pittance; and he was forced, besides, to give part of his provisions to his wife, or she must starve. Would the House believe that the men's wives went to the Main Guard to get what was called the "offal," by which was meant the broken victuals? Fancy seamen's wives reduced to fetching away the "offal," the very name of which was enough to disgust one! If proper wash-houses were fitted up, these respectable women might be employed in doing the washing of the hospital; but no! it was all sent out. Another system would probably surprise the Committee. If a man were ruptured in the service, instead of being pensioned, he received a gratuity of £5 or £6, and was then discharged, though, of course, as he was disabled from laborious work, he must go into a poor-house or starve. This was the way in which our sailors were treated, and yet we wondered at men not entering the service, or at their deserting after they did enter. He believed that, if properly administered, the funds of Greenwich Hospital would pay all the men £30 a year at least, and then they could live at home with their friends. At present the hospital gave them splendid misery, and nothing more. From a Return which had been published, it appeared that in England and Wales there were 592 sailors who had been disabled in Her Majesty's service. These men were in the workhouse, instead of being in Greenwich Hospital with a comfortable pension. Was this, again, proper treatment? Some time ago the present Secretary to the Admiralty pointed out various alleged abuses in the dockyards, taking special care, however, not to direct his observations against the Surveyor of the Navy, or any other officer. Still a report had gone abroad that during a certain number of years there had been a waste of £5,000,000, but the Surveyor of the Navy, he believed, made a Return which accounted for the whole sum. He thought the Board of Admiralty was, under these circumstances, bound to take notice of the statements which Sir Baldwin Walker had made, and to bear testimony to their accuracy. There was only one other observation which he wished to make, and that had reference to the number of continuous-service men who had been discharged from the navy. He ought not, perhaps, to say discharged, because he did not wish the House to believe that those men had been forced to leave the service; but some of them had been informed that they might quit it if they pleased, and "Jack," being an independent sort of gentleman, had not hesitated to act upon the hint. That as well as other facts showed that the navy was not quite so popular a service as might be supposed. The evil was one which he was, however, bound to say the late First Lord of the Admiralty had done his utmost to remedy, and he hoped that the present—now that we were trying all sorts of gentlemen in that capacity—would follow in his footsteps.

Mr. LINDSAY said, there were two points connected with the expenditure of the navy to which he wished to draw the attention of the Committee. The Estimates for that department of the public service had of late years been not only steadily, but enormously on the increase. According to a paper on the table of the House the whole expenditure for naval purposes was, for instance, in 1852, £5,800,000; in 1853, £6,280,000; in 1858, £8,800,000; while in the present year it amounted to no less a sum than £12,680,000. That Vote was an extremely large one every hon. Member must be prepared to admit, but he was nevertheless not prepared to oppose it, inasmuch as he deemed it to be a wise economy to maintain the defences of the country in an efficient state. To do so would, in his opinion, be, in the long run, found to be the cheapest policy. He was, however, anxious to bring under the notice of the Committee the question whether the navy could not be maintained in a state of efficiency at a much less cost than was involved in the present rate of expenditure. His noble and gallant Friend the Secretary to the Admiralty, whom no one could be more happy to see filling the honourable position which he now occupied than himself (Mr. Lindsay), had frequently, with that honesty of purpose which guided his conduct, called the attention of the House, while one of its independent Members, to what he deemed to be lavish expenditure in connection with the navy. He trusted his noble Friend, now that he was in office, would not forget those truly wise doctrines which he laid down when in Opposition, and that, instead of yielding to the suggestions of those who were under him, he would follow the dictates of his own good sense, aided by that ability which he unquestionably possessed. Having given that advice to his noble Friend, he should beg leave to call his attention and that of the Committee to four items, under the heads of which he thought the navy of England might be rendered as efficient as it now was at a considerably reduced rate of expenditure. He should first take the Vote which comprised the wages of artificers. In dealing with that Vote, the details of which he had minutely considered, he should trespass upon the time of the Committee by referring to a Return which he held in his hand of a number of ships which had been built in our dockyards, and which were all of the same size —1,462 tons burden. The first of these vessels, the *Satellite,* had been built at Davenport, and he found that the expenditure for shipwrights' labour had in her case been £6,450, or at the rate of £4 8*s.* 3*d.* per ton. The second, the *Pelorus,* had also been built at Devonport, and the shipwright's wages had been £6,712. The *Scylla* had been built at Sheerness, and the expenditure for the same purpose had been £8,621; and the *Clio,* built at the same place, cost £9,311; while in the case of the *Racoon* and *Tantalus,* which had been built at Chatham, it had been £6,321 and £6,569 respectively. One important fact he wished to bring before the Committee was, that the cost of labour in one dockyard was much greater than in another. Thus, the *Pearl,* built at Woolwich, cost us between £6 18*s.* 5*d.* per ton; while the *Satellite,* built at Sheerness, and the *Racoon,* at Chatham—vessels precisely of the same kind—cost £4 6*s.* 6*d.* per ton. There must be something radically wrong to cause such a discrepancy as this. Two frigates built in a private yard on the Thames for the Russian Government—namely, the *Tartar* and the *Cossack*—cost £2 8*s.* per ton. That included not only the cost for shipwrights, but the cost of fitting them out for sea; whereas the entire cost of fitting out the *Pearl* for sea was £8 13*s.* 11*d.* It was true that the *Pearl* was a somewhat larger ship than the *Tartar* or the *Cossack;* but the difference in size would only account for a difference of a few shillings per ton in the cost of building the two latter vessels. There were, no doubt, objections to building ships for the Royal Navy in private yards, but it was evident from these facts that there was something inherently wrong in the management of the Royal dockyards. Why could the men not be employed as they were in private dockyards? If they were employed on piecework, instead of the labour account of the shipwrights being £8 13*s.* 11*d.* per ton, it would not be more than £2 12*s.* per ton. The rate for labour in the present Estimates was £1,527,000. Of this £1,000,000 at least was for shipwrights; and on this item alone there might be a saving of £400,000, while the work would not be one whit less efficiently done. He would say nothing as to the construction of ships beyond this, that he hoped his noble Friend would carry out in office the reforms he had contended for in Opposition. The next branch to which he would refer was that of materials and stores, the sum required under which head amounted to £2,800,000. Now, he would take a few examples of the mode in which that money was expended. Among the most important items was that of steam engines. Formerly it was supposed that there were only two or three firms in this country competent to build steam engines for the Royal Navy. Now, he would not ask tenders for steam engines as he would do for clothes and provisions, but it was too much to say that the builders of the engines used by the great steamboat companies could not construct engines fit for the Royal Navy. The consequence of this exclusive dealing was to enhance the price of the article, and we had been paying £60 per horse-power for engines (an hon. Friend near him said £80), whereas, if the range of competition had been widened we could have had our steam-engines at £50, if not £45 the horse-power. He trusted that his noble and gallant Friend would open the door somewhat wider, and not hold to the belief that none but certain firms could build steam-engines. He did not advocate unrestricted competition in so ticklish a matter; but if quite as good engines could be obtained for £40 per horse power, he did not see why the Admiralty should pay £60. He would take another item, that of anchors. Nine years ago he devoted a considerable portion of his time as a Member of a Committee to inquire into the best description of anchors. Seven anchors were brought before the Committee. They tested those anchors in every possible way, and they unanimously arrived at the decision and reported that the Admiralty anchor was the worst of the seven. For nine years that Report had been in possession of the Admiralty, and the same description of anchor still continued in use in the Royal Navy. But, more than that; for seventeen anchors, from 20cwt. to five tons weight, the Admiralty paid £3,434 17*s.* 6*d.*; whereas, according to a published statement which most hon. Members must have seen, the market price of the most eminent firms was only

£1,428, or at about one-third of the outlay. When he found the Admiralty wrong in these two items, he thought there was great reason to fear they were wrong in many others, and that they paid far too much for stores and materials. Why was it so? The answer he had received to that question in the matter of anchors was, that the Admiralty had been in the habit of dealing with a particular firm. One firm had a monopoly—and a very nice monopoly it was—for them, at the expense of the poor taxpayers. He would take another item—that of wages to seamen and marines. He had no desire to go into the question of manning the navy now, because he felt that he should require more time than the Committee would be disposed to give him; but he had the honour of being a Member of the Royal Commission which inquired into that subject, and he was presumptuous enough to differ from his colleagues. The reasons for his dissent were stated in the Report. He dissented with regret, but with the most solemn conviction that the extra expenditure about to be saddled upon the country would be money wasted. Though some time had elapsed, he had no reason to regret the course which he then felt it his duty to take; and although his noble and gallant Friend had appealed to him not to oppose Votes which were inserted in the Estimates, on account of the recommendation of the Royal Commission, he certainly should oppose them at every stage, until the House had had an opportunity of fully and calmly discussing the question in all its bearings. The recommendations of the Commission involved not merely the £100,000 which would be asked to-night, but, as the Commissioners made it, £600,000, or, as he made it, £700,000. Whether it was £600,000 or £700,000, it was a very large amount, and, if capitalized, the smaller sum would represent something like £20,000,000. Though he should find only one hon. Member to support him, he would walk into the lobby against any sum being voted on account of manning the navy until the House had expressed its opinion whether the recommendations of the Commission warranted such a vast expenditure. Upon the question of wages he thought he should be able to prove, as clearly as he trusted he had proved the other items, that Parliament could save £500,000 per annum without rendering the navy one whit less efficient. When the question came on for discussion he should show that, while the country had been marching onwards in the substitution of mechanical for manual labour, they required the same number of men to man a ship now as in the days of Trafalgar. By the improvements of the age and the application of machinery, one man produced as much in the factories of Manchester, as fifty did at the commencement of the century; yet the navy now required the same number of men as in the days of their grandfathers. There must be something wrong and something to inquire into before voting these large sums. He believed he was correct in saying that there was no such thing as a patent block in the navy, while every collier had them, because one man was thereby enabled to pull as much and to raise as great a weight as three. Some time ago he asked the question of a distinguished post-captain and elicited the startling fact that there was nothing new in the British Navy since the last quarter of a century, except the reefing of the sails, and that we got from the French. His hon. and gallant Friend (Sir J. Pakington), who took so much interest in the navy, said very truly that it was not merely a question of ships and money, but a question of officers. He did not recommend any reduction of the pay of officers. God knew they were too poorly paid already. But he must call attention to the subject of half-pay, which would require, sooner or later, some alteration. The Vote for that purpose amounted this year to no less a sum than £718,000. There were ninety-nine admirals on the active list, and the number employed was only fourteen. There were 357 captains on the active list, of whom only ninety-six were employed; 514 commanders, of whom 173 were employed; 1,038 lieutenants, of whom only 696 were employed; and 348 masters, of whom 263 were employed. Again, in 1855, towards the close of the Russian war, we had ninety-nine admirals on the active list, of whom only eighteen were employed; 399 captains, and 139 employed; 550 commanders, and 192 employed; 1,177 lieutenants, and 883 employed; and 318 masters, and 269 employed. That was at a time when the whole strength of England was put forth against an enemy. The effect was serious in two ways. First, we had no right to take into our employment officers or servants of any kind, unless we saw a fair chance of giving them active employment. To both employers and employed we were doing wrong. We were taxing the country to an unnecessary extent, and bringing up men to a service for which they could find no employment, and then leaving them to starve on the pittance of half-pay. Those officers who had influence at Court received constant employment, but those who had no such influence were left to starve on half-pay. The other evil lay in saddling the public with a large sum of money annually. In the plans which had been put forward for increasing the naval forces in time of emergency, the valuable reserve afforded by the mercantile marine had been comparatively overlooked, and the measures which had been taken had only weakened that service, without strengthening the power of the navy to a corresponding degree. The officers of the merchant service, who were now a very different class from what they had been even ten years ago, ought also to be included in any arrangements for a reserve force, and called out with the men, at stated intervals, for drill. A trifling payment as a retaining fee would be sufficient for the purpose, and would have, he maintained, a great effect in stimulating volunteering. That was a part of the question of manning the navy which deserved to be discussed at length in that House. Without they broke down the line of demarcation at present existing between the merchant service and the navy, they might go on spending millions of public money, and be no nearer the solution of a great problem namely, how to obtain reserves sufficient in the hour of need, at the least cost, and disturbing in the smallest degree, the industry and resources of the country in times of peace. The steps which had hitherto been taken were altogether in a wrong direction. £100,000 had been added to the expenses of the navy in the increase of salaries in 1852; but he would ask the gallant Admiral (Sir Charles Napier) whether he had found his difficulties lessened in consequence when endeavouring to man the Baltic fleet in 1854? He thought his right hon. Friend the late First Lord, committed a grave mistake—perhaps it was the only one he made during his administration—when he offered a bounty of £10 with the view to attract able seamen to the naval service. That bounty had only tempted 1,400 able seamen into the service, and that even at a time when the merchant shipping of the country was suffering great depression. The consequence had been two-fold. The wages of seamen in the merchant service had been unnecessarily increased, and great dissatisfaction created in the minds of the 55,000 able seamen now serving in the navy, from whom a similar bounty was withheld. An unnecessary competition had been evoked between the Royal Navy and the merchant service. The latter would increase their wages in the same proportion, and the Admiralty would find, in the long run, that they were spending the money of the country in vain. He had thus endeavoured to show that upon four items alone upwards of £2,000,000 sterling might be saved to the country, and he did not hesitate to say that if he was allowed to go fully into the matter—for he would much rather do good in a quiet way than make speeches in the House; and he begged his noble and gallant Friend, if he thought he could assist him in any way, not to hesitate in sending for him—he thought he would be able to show that £8,000,000 or £9,000,000 at most would go as far in the navy as the £12,000,000 they were now about to vote. It was their imperative duty to look into these matters, and promptly, too, for taxation was begining to press heavily upon the country, and though it might not be much felt just now, when we were in a state of prosperity, yet if a famine came, or stagnation of business, it would rouse a strong feeling of discontent among the industrial classes. If they got value for their money he would not complain, but it was the first duty of the House to look into these matters and see that there was no wasteful expenditure.

MR. CARDWELL said, that as they were to have another opportunity of discussing the question of the naval reserve on the introduction of a Bill, it was not his intention to inflict upon hon. Members all the observations which, as a member of the Commission on Manning the Navy, he should be anxious to address to the House when the proper time arrived. He would not, however, be doing his duty towards the colleagues with whom he had acted, as an attack on their scheme had been made in anticipation of the latter debate, to offer no brief defence of it on the other side. The recommendations of the Commission on the reserve in the merchant service could not be correctly gathered from the observations of the hon. Gentleman. The Committee must be under the impression that an unwise expenditure of £600,000 had been recommended, and that, upon the more accurate showing of the hon. Member, a still further expenditure of another £100,000 would be necessary. No doubt, if the hon. Member went over the whole of the subjects of the Report, which embraced a great variety of subjects, the Commissioners recommended an additional expenditure which at the proper time he was prepared to show would not amount to more than £600,000. But if the hon. Member confined himself to the subject now before the Committee—the naval reserve to be drawn from the merchant service of this country, and which would furnish 25,000 trained gunnery men to man our ships in the hour of danger—the whole expense recommended by the Commission was £200,000, and this was the only matter with which on the present occasion he ought to occupy the attention of the Committee. Upon what evidence did that recommendation rest? If there were one thing of which the Commissioners satisfied themselves it was that the system of naval impressment was a broken reed, which would pierce the hand that leaned upon it, and for this simple reason. Such was the progress of science in the use of arms, of precision, that men of the highest skill in gunnery and not the men promiscuously collected by a pressgang, were required to man their ships and sustain the honour and dignity of the country in the hour of need. With the leave of the Committee he would state in very brief outline what were the recommendations of the Commission, so that they might not be under any mistaken apprehension of what they would afterwards be called on to discuss. The proposal of the Commissioners was, that for a sum of £160,000 you should have a force of 20,000 men on the home voyage, and 5,000 men on the distant voyage, trained and practised in gunnery, who should be ready on an emergency to come forward in the defence of the country. And as with regard to the navy nothing could be more clear than that both in point of loyalty to the navy and efficiency in the service there was no body of men equal to those who from boys were trained up for the service, it was proposed to add £40,000 more in the training of boys for the reserve, thus making in all £200,000. For this sum it was anticipated they would obtain a force of 25,000 men in the merchant service trained and practised in gunnery, with a self-supporting pension fund, and with ships at each of the principal sea-ports for the purpose of entering and training youths. The hon. Gentleman would have the House believe that the Admiralty were making no improvement in the navy; that it required as many men to work a gun or haul on a rope now as at Trafalgar; and the House might imagine that the practical conclusion at which the hon. Gentleman arrived was that he recommended a smaller number of men than the Commissioners. But he agreed with them within 2,000 as to the number of men required from the home voyage; he exceeded them in the number of boys he recommended; he equalled them in the number of coastguard and coast volunteers; and he far exceeded the Commissioners in the number of seamen on the distant voyage and the marines. The hon. Gentleman thought the object could be attained more cheaply than the Commissioners. He hoped this might prove so. If so, it would be an argument *à fortiori* in favour of the plan. But the Commissioners reported to the Crown according to the evidence they received. He regretted that they had not been entirely unanimous and that the hon. Member for Sunderland had not gone with them in their report. He could only say that that report was based upon the evidence of witnesses most qualified to speak upon the subject. The Commissioners reported in conformity with the opinion of the Commander of the coastguard of England, with those of the Commander of the coastguard at Liverpool, the Chief Clerk at the Admiralty, the Board of Trade, represented by the Secretary and the officers of the nautical department, and according to the evidence of the Registrar of Seamen, and of all the shipping masters, and of the managers of the great steam-ship companies. There were reasons for the report, which he would not enter further upon at present, as a full discussion of the matter was promised on a future day. He only wished to point out that they proposed to substitute for the system of impressment a reserve of seamen, which, according to the evidence, could be accomplished for £160,000 a year, to which they had added £40,000, making altogether £200,000 — not one-sixth of the expense of maintaining a similar number of men in the service. With respect to the officers in the merchant service, who no doubt deserved all the praise the hon. Gentleman had bestowed upon them, the reason why the Commissioners did not offer any opinion was that they considered there was nothing in their Commission which authorized them to entertain that question. The report was that of three admirals—men of the highest distinction—of the hon. Member for Portsmouth, and Mr. Green, the great shipowner, and at the proper time he should be prepared to defend and justify it on its merits.

SIR JAMES ELPHINSTONE said that he desired to advert to one or two points which had been raised in the course of the discussion. The first was to the non-employment in the Navy of appliances which had been introduced into the merchant service. It must be borne in mind that the manning of a ship of war was in relation to the guns and not to the rigging. Such appliances as patent trusses and blocks, with a strong ship's company, would be torn to pieces, and be of no earthly use. The patent truss was tried on board one of the hon. Company's ships and found to be unserviceable in the case of heavy yards. Besides, he was not aware that any mode of handling had been discovered which would reduce the number of men required to manage a 32-pounder. The subject of officers was not within the scope of inquiry of the Commission, but he thought it was one which merited investigation. It was very well to point to the number of admirals, and to say that so many were not fit for active service; but it was natural that during a forty years' peace men should grow old, and according to their interest or merit should rise to the highest grades, and owing to the more temperate habits of the period should live longer than their forefathers did. There was a long lieutenants' list, including men of all ages, some sixty or seventy years old, while a quarter-deck officer's efficiency rarely lasted beyond forty-five. In the year 1848 a Committee sat, presided over by the noble Duke now at the head of the Admiralty, to which were to be attributed many of the evils existing in the navy. The number of junior officers entering the service was restricted, and now there were three-decked ships with only six or seven midshipmen, instead of twenty. A man of war without midshipmen was crippled. With half-a-dozen efficient midshipmen he would dispense with a lieutenant or two. The consequence of the present system was that there was no rising junior class. He thought, instead of allowing old lieutenants to drag on a miserable existence upon a guinea a week, the fairest way would be to buy them out of the service when they had done a fair turn of work, and so keep the junior portion of the service in an efficient condition. With respect to the conversion of ships, he thought it absolutely necessary that that work should go on, but he confessed he had never yet seen a ship converted properly according to his notion. A vessel to be converted properly ought to be cut across at the foremast and afterport, lengthened by a good run aft, and a completely new entrance added forward: these parts ought to be strongly fortified, and would supply much of the room now occupied by the engine-room. She would then have her original battery on the main deck, would be more buoyant, and generally more commodious and efficient. There was another point that had not been noticed, but which was of importance—the expenditure for fuel. Having paid much attention to the subject, he was convinced that if proper measures were adopted very large sums might be saved. At present he believed that not a single one of the many meritorious appliances for consuming smoke or economizing fuel had been adopted in the navy. Then, again, as to the construction of engines, he could not see why the eminent engineers of the Clyde should not be allowed to compete with their more favoured brethren of the Thames. The machinery on board of the West Indian steamers were equal to any that was to be found in the Royal Navy. The Royal Commission, of which he was a member, made recommendations which were of a twofold character, and which he was happy to see in a great measure carried out. One class of the recommendations concerned the well-being of the seamen, the other the provisions of an efficient reserve. The food on board ship was insufficient, and he would advise the present Board of Admiralty to go further than the last, and add the quarter pound of meat for supper which the Commissioners agreed was necessary for the health of the men. He could assure them that a seaman in a hot climate, who took his tea and a biscuit at five o'clock p.m., and then kept two watches without eating a single thing till eight o'clock next morning, could not avoid falling sick under such a system. An officer who had just returned from China, and had there shipped two crews, the last being of merchant seamen, told him that the chief, indeed only complaint, which he had from the last crew was that they did not have enough to eat. The Commissioners also recommended that there should be restored to the warrant officers their widows' pensions, the withdrawal of which had sunk deeply into the minds of those men. They were chosen from the *élite* of the seamen, and while the amount of property under their care was greater than ever, their pay and standing in the service had been much lowered. The effect of this state of things has been to make it very difficult to induce good men to come forward for the warrant. With regard to Greenwich Hospital, he had once fancied that it must be a perfect Elysium; but after examining it the Commissioners considered the state of matters there most wretched, and it was a question whether it would not be better for the service that the money spent there should be given to the men as out-pensioners, so that they might be enabled to live comfortably with their friends, instead of keeping them, as at present, in one of the worst monasteries ever established. He strongly disapproved of the use of frigates as flagships in hot climates. The flagship was a sort of storeship for the squadron; and unless it was very roomy the men had to be accommodated on the lower deck, which in hot stations were absolutely pestilential, and he had every reason to believe that this was the main cause of the shortness of seamen's lives.

MR. BENTINCK said, he had listened with pleasure to the very able statement of the Secretary to the Admiralty, which had been followed by a very able debate, showing the great and growing errors existing in the naval system. Still he thought they had been putting the cart before the horse; that they had been dealing with effects instead of causes. Many of the evils so ably stated were attributable solely and entirely to the general errors of the system and to the constitution of the Board of Admiralty; and what he should have preferred would have been that this discussion had been preceded by a discussion on the Motion of the hon. Member who proposed to inquire into the constitution of the Board of Admiralty, and that the House should have looked into that part of the question before commencing the discussion as to the errors and mistakes and blunders which occurred under the present system. He had long been of opinion that it was utterly impossible, constituted as the Board of Admiralty was, that it should not be the source of errors, blunders, and extravagances without end. And the two grounds of that opinion were these. It was perfectly impossible that a Board, at the head of which was placed a gentleman, be his talents what they might, who was utterly unacquainted with the details of the business over which he had to preside, should be ever conducted in an able, satisfactory, and economical manner. But he believed that there was still a greater evil existing than that, and that was in the fact that the Board of Admiralty was subject to change at every change of the Government. So long as that was the case, whether those who presided or those who came after were right in their views did not much matter. So long as we had the recurrence of a change of system from good to bad, or from bad to good, there must be delays and other inconveniences attending a change. The navy, above all, required a continuance of men who were, first, duly qualified for their office, and secondly, who from long experience had acquired that knowledge which long experience only could give. As to the question of the bounty, he must differ from his hon. Friend the Member for Sunderland (Mr. Lindsay). He thought the late Admiralty was justified in offering the bounty for manning the navy. He thought they had no other course to pursue under the circumstances, as it was the only means in their power to supply the deficiency of men that then existed, with the requisite rapidity; but the fact of their having been compelled to do so was the fullest proof not only of the defective constitution of the Board of Admiralty, but that it was a standing slur on a country calling itself the "first maritime nation in the world." If the navy department were in an efficient condition, not only would there be an efficient force for all immediate wants, but such a reserve, on which the Admiralty could lay their hands at once, that the necessity for a bounty could never possibly occur. He might add that the mode in which anchors had been supplied to the navy was another proof of the inefficient system which prevailed under the present constitution of the Admiralty.

SIR FRANCIS BARING said, he quite agreed with the hon. Member who had just spoken, that they ought to have a discussion which would settle the question once and for all, whether they should continue the present system at the Admiralty. It would be better to set apart a night for that purpose, instead of having continually to listen to a series of desultory attacks involving vague charges which there was no opportunity of answering properly. On the question of the bounty he could hardly give an opinion, because he was not aware of the circumstances to which the right hon. Baronet opposite had so much referred. If there was a pressing danger, the right hon. Baronet was not only justified in what he had done, but was to be praised for it. Unless there was a pressing danger, it was not a wise step to have recourse to the extreme measure of offering a bounty. He would postpone any remarks upon the manning of the navy which he had to make, until that opportunity which he understood would be afforded them of discussing that important subject. With regard to the question of provisions, a Committee had sat in 1850 and had fully considered it; and its recommendations had been adopted by the Admiralty of the day. He had himself asked for a vote of £30,000 for improving the provisions for the navy. The Report of the Commission on the Manning of the Navy required in his opinion to be fully considered and debated, and he was by no means prepared to accept it without discussion. He should be glad to hear how far the recommendations of former Commissioners had been successful, how far the continuous-service system had enabled them to procure a better class of men, and whether it had led to those advantages which were expected from it. There ought to be a full inquiry into these points, and he hoped the First Lord would give them an opportunity of ascertaining whether all the charges made against the Admiralty were true or not.

ADMIRAL WALCOTT said, the noble Lord the Secretary of the Admiralty had submitted the additional Naval Estimates to the House in a clear and lucid statement greatly creditable to him, seeing how short a period he had held his present office. He was desirous to fix the attention of the noble Lord to a recommendation he had enforced upon the late First Lord of the Admiralty, on the occasion of his submitting the Naval Estimates to the House in the early part of the present Session, that there should be a Board constituted, to assemble as occasion might offer, to be composed of experienced and scientific men, not naval officers singly, who should receive the suggestions and consider the inventions of those who had turned their attention to improvement in naval architecture, gunnery, and other inventions pertaining to the naval service. And at a time, as he had more than once adverted to in this House, when science was making fresh advances hitherto unexampled, and other maritime Powers were strengthening their navies in proportion, no caution could be too great in a timely construction of our ships before war commenced. The position, one of the highest importance and responsibility, that of the Surveyor of the Navy, demanding as it did the display of great ability and a judicious expenditure of the public money, required that it should be accompanied by a seat at the Board of Admiralty, by which opportunity and authority would be afforded to him to represent his opinions with freedom and cogency. He believed that the late First Lord of the Admiralty yielded to none of his predecessors in a desire to improve the service. Complaints, however, had been made respecting the bounty which the right hon. Gentleman had offered; but the House should remember the state of affairs on the Continent had been such during the last few months that it was impossible to foresee what position this country would be placed in. We had splendid ships and plenty of them; but what use were they, unless they were alive with practical officers and efficient crews from stem to stern. Now, the fact was, they had not efficient crews and not a considerable number of practical officers; and the reason was, that during the long peace of forty years which we had enjoyed, we had been unable to employ the officers on the list to any great extent. In the case of any emergency, however, he was satisfied that the navy of Great Britain would preserve the high honour and character which it had always hitherto maintained. It was within his knowledge that not a single fleet issued from an enemy's port from 1794 to 1815, which did not supply fresh laurels to the British Navy, and that even when we were engaged in fighting single handed. Let us then be prepared for any exigency that might arise; for a preparedness to meet danger was the best security for occupying a solid position. With regard to our ships, he feared we were building them of too great a length. In the present Estimates, he observed a sum of £250,000 for a contract to build two ships, and he had heard that these ships were to be from 4,000 to 6,000 tons burden, and to be furnished with the masts and yards of ninety gun ships. If that were correct, he had no hesitation in saying that it would be a gigantic failure, and that the ships would be perfectly useless (under any circumstances) unless they had two screws, one fore and the other aft, so as to back or go ahead as might be required; for if they happened to be thrown on a lee shore in heavy weather, it would require great sea-room for them to turn without incurring the greatest danger.

Lord CLARENCE PAGET said, he now had a very pleasing duty to perform, in thanking those hon. Gentlemen who had complimented him on his manner of performing his duty, and had made many valuable suggestions. That which had just been made for a Board of scientific men to consider the subject of naval architecture was a very valuable one. He also had to thank the hon. Member for Sunderland for his suggestions, which he would lay before the Board of Admiralty.

Mr. LINDSAY said, that he wished to ask for a pledge that none of the sums contained in the Votes amounting in all to £58,657, for carrying out part of the scheme of the Commissioners for Manning the Navy should be expended until Parliament had had an opportunity of discussing the whole report.

Lord CLARENCE PAGET said, it was impossible to give that pledge as some of the money—such as the expense of gratuitous bedding and other such items—had already been expended.

Mr. LINDSAY said, in that case he must protest against the expenditure of public money without the sanction of Parliament. The House, too, was thus committed beforehand to at least one part of the scheme of the Commissioners.

Sir C. NAPIER said, he hoped that the noble Lord would persevere with the items.

Sir JOHN PAKINGTON remarked, that there was no ground for complaining of any attempt prematurely to pledge the House to the report of the Commissioners. They had made certain recommendations, and the vote referred to was for the purpose of carrying out part of their scheme. If the hon. Gentleman did not approve of that scheme, the constitutional time to object was when the Vote came before the Committee, and if he succeeded in persuading the Committee to agree with him and reject these items that part of the scheme would fall to the ground.

Mr. W. WILLIAMS said, he had to complain that the House was now called upon to vote nearly £2,000,000 without any explanation. He should therefore move that the Chairman report progress.

Motion made, and Question proposed—"That the Chairman do report progress, and ask leave to sit again."

Admiral Walcott

Viscount PALMERSTON hoped the hon. Gentleman would not persist in his Motion, as he believed the general feeling of the House was in favour of proceeding with the Votes.

Mr. W. WILLIAMS said, he thought the general feeling of the country would be that some explanation should be afforded with regard to the demand of £2,000,000 beyond the amount required by the late Government. The present Navy Estimates were nearly double the amount of any which had been asked for since the termination of the last war, and, although he was as anxious as any one to place the navy in a state of efficiency, he thought some explanation ought to be afforded on the subject.

Lord CLARENCE PAGET said, the only amount required in these Estimates beyond those prepared by the late Government was £100,000 to continue the labours of shipwrights in the different dockyards.

Mr. W. WILLIAMS said, that the Estimates of the late Government were £10,800,000, and those now before the House were £12,682,000.

Mr. KINNAIRD said, he hoped the hon. Member for Lambeth (Mr. W. Williams) had not been asleep during the last two years, and that he was aware that the universal feeling of the country was that we should place ourselves in such a position as would enable us to maintain our neutrality.

Question put and *negatived.*

Mr. W. WILLIAMS said, he had no objection to a single Vote being taken.

Original Question put and *agreed to.*

Mr. W. WILLIAMS would again move that the Chairman report progress.

Motion made, and Question, "That the Chairman do report progress, and ask leave to sit again." put, and *negatived.*

(2.) £479,695, Wages.

Mr. W. WILLIAMS said, he would move, for the third time, that the Chairman report progress.

Motion made, and Question, "That the Chairman do report progress, and ask leave to sit again," put, and *negatived.*

(3.) £247,212, Victuals.

Resolutions to be reported on *Monday* next.

Committee to sit again on *Monday* next.

CLERK OF THE COUNCIL BILL.

COMMITTEE.

House in Committee.

Mr. D. GRIFFITH said, he wished to ask what was the object of this Bill.

Mr. LOWE said, this Bill was merely intended to render any person whom Her Majesty might appoint equivalent to the Clerk in ordinary of Council so far as regarded the signing of certain acts. It would, no doubt, save the expense to the country hitherto incurred by having two Clerks of the Council.

Sir HENRY WILLOUGHBY asked, what would be the salary of the retiring clerk?

Mr. LOWE replied, that he was unable to answer the question, but the amount would appear in the Estimates.

House *resumed.*

Bill *reported*, without Amendment; to be read 3° on *Monday* next.

HIGH SHERIFFS' EXPENSES BILL.

SECOND READING.

Order for Second Reading read.

Mr. HENLEY said, no doubt it was very desirable to curtail the expenses which fell on the Sheriffs, but he thought the measure required more consideration than appeared to have been given to it and that its second reading ought to be postponed. He professed to transfer the duty of forming the escort for the Judges of Assize and of maintaining order in court from the High Sheriff and his javelinmen to the county police. It was a serious question whether the effect of this would not often be to subtract largely at the time of the assizes from the number of the county police available for their ordinary duty, and thus afford to the thieves a convenient opportunity for the exercise of their ingenuity. He also thought that some difficulties might arise as to where the jurisdictions of the High Sheriff and the chief constable terminated. For instance, how far would the chief constable of the county, when keeping order in court, be under the directions of the High Sheriff? The whole subject of Sheriffs' expenses might advantageously be inquired into before a Committee—a course much preferable to dealing with the matter piecemeal in the manner now proposed.

Sir GEORGE LEWIS said, his impression, without having considered the matter, was that the chief constable would not be bound by the present law to obey the orders of the High Sheriff. The duties of the javelinmen were, no doubt, to a great extent ceremonial. He would take care that inquiry should be made of the county inspectors of police on the subject if the hon. Gentleman would postpone the Committee for some time.

Mr. D. GRIFFITH said, that if the House would read the Bill a second time he would postpone the Committee till the 19th of July, which would give ample time for consideration.

Bill read 2° and *committed* for Tuesday 19th July.

LONDON CORPORATION BILL.

LEAVE. FIRST READING.

Sir GEORGE LEWIS, in moving for leave to introduce a Bill for the Better Regulation of the Corporation of the City of London, said that that Bill very much resembled the Bill that was introduced on the same subject in a former Session, and referred to a Select Committee, where it underwent considerable alterations, the principal alteration being an increase in the number of wards. The main difference between that Bill and the Bill he wished to introduce was this—that it only dealt with the constitution of the Corporation, and omitted entirely the financial part of the question. It did not attempt to deal with the coal duties or with the metage duties. Those were questions that must be reserved for future consideration. He did not wish to be understood as expressing any opinion on these questions. The coal duties, or at least a portion of them, would expire at an early period, and it would be convenient to postpone the consideration of those difficult questions till that time arrived, or shortly before.

Leave given.

Bill for the better Regulation of the Corporation of the City of London *ordered* to be brought in by Sir George Lewis and Mr. George Clive.

Bill *presented* and read 1°; to be read 2° on Thursday next and to be *printed.*

House adjourned at quarter-before
One o'clock.

HOUSE OF LORDS,

Monday, July 11, 1859.

Minutes.] *Took the Oath.*—The Earl of Craven.

AFFAIRS OF ITALY.

NOTICE OF MOTION.

The Earl of MALMESBURY gave notice that on Thursday he would move for the production of two circulars signed by Count Cavour, one on the 14th and the other on the 16th of June; and also Count Cavour's reply to his despatch of the 7th of June to Sir John Hudson. As these had already been published by the Sardinian Government, he presumed there would be no objection to the Motion on the part of Her Majesty's Government.

VOLUNTEER CORPS.—THE MILITIA.

QUESTION.

Lord VIVIAN said, he had two Questions to ask of the Government respecting the Volunteer corps. The first was, whether it was the intention of the Government to pay the non-commissioned officers employed in drilling the volunteer corps throughout the country? He thought it was of importance to have sufficiently qualified persons to discharge the duty of instructing the volunteers, and that they should be entirely under the control of the Government. With that view they should be paid by the Government and not by the corps. The other question he had to ask was, whether it was intended to give a small remuneration to volunteers in artillery corps? He was afraid that unless Government held out some inducement—say a shilling a-day for a certain number of days' drill—they would not find men willing to volunteer for the artillery service. He wished also to make an observation with reference to the militia. The militia were out for drill twenty-one days in the year according to the present arrangement, they were then marched and counter-marched and went through all the ordinary evolutions; but for the last five years some of them had never fired once. He should like to hear from the Government an opinion as to whether some portion of the militia should not be furnished with the Enfield rifle.

The Earl of WINCHELSEA was understood to urge upon the Government the necessity of giving encouragement to these corps.

The Earl of RIPON said, that there ought to be no rivalry between these two corps except that honourable one which he hoped would long continue to exist—which of them should be most efficient for the public service. One object, therefore of the Government was to prevent any clashing between the formation of volunteer corps and the recruiting for the militia, and this was one of the reasons why they declined to give any pecuniary assistance to those corps. It was not the intention of the Government to assist volunteer corps by paying the musketry instructors; but sergeants of the staff of the disembodied militia would be allowed to act as drill instructors to such corps, who would be required to pay them at the rate of 1*s.* a day and to find them a lodging or billet. The noble Baron had said that if the sergeants were paid by the Government they would have more control over the arms and the drill. The object of the Government, however, was to leave to the volunteers as much of the management of their own affairs as was consistent with their character as military bodies, and with the maintenance of military discipline; and they thought that by requiring their submission to the annual inspection of a military officer they would have ample control over the drill. With regard to the arms a proper place of custody and a proper person to take care of them were to be provided by the volunteers themselves upon the recommendation, and subject to the approval, of the Lord Lieutenant, which he did not doubt would secure the choice of a proper person. He regretted that his right hon. Friend the Secretary of State could not assent to the proposal of paying volunteer artillery regiments and providing them with uniforms, because if that were done a similar demand would speedily be made by the rifle corps, and it would be impossible, in principle, to refuse to accede to their claim. Artillery regiments would receive instruction and a supply of ammunition gratuitously, and he did not think it would be right to give them any further preference over their brethren of the rifle corps. Her Majesty's Government had, with the concurrence of the illustrious Duke the Commander-in-Chief, made arrangements for the instruction at Hythe of twenty-five adjutants and 100 sergeants of militia during the approaching autumn; and it was intended, as soon as those sergeants had received the proper instruction, to issue Enfield rifles to the staff of the disembodied militia. The issuing of that weapon to the whole of the militia force was a much larger question, and must take place gradually, according to the state of the public stores. On a previous occasion he had stated that his right hon. Friend the Secretary of State for War was not prepared to sanction the formation of volunteer corps in larger bodies than companies. Since then, however, his right hon. Friend had received so many representations as to the desirability of sanctioning the formation of battalions under certain circumstances, that he had decided that when several companies were formed in one town, or in a small district, he would sanction the appointment of a field-officer to command them, in order that they might have one practice-ground and one arm-store. He was also willing to consider whether in rural districts a field-officer might not be appointed to exercise a general supervision over the scattered companies, to conduct their correspondence with the War Office, and to be their inspecting officer.

THE MARQUESS OF CLANRICARDE and LORD VIVIAN made a few observations which were not heard.

THE EARL OF MALMESBURY said, he had the honour to command an Artillery Regiment of Militia, and he was sorry to say that, although the complement of the regiment was 500 at present, although it had been embodied more than nine months, they had not been able to muster more than 250. He thought the reason of this was that the men were, in most instances, called upon to serve at such great distances from the towns and villages in which they lived. He thought that if the services of each regiment were confined to its own county, the force would be considerably strengthened. Another point to which he wished to call the attention of the Government was the fact, that no ammunition had been supplied to the regiment for several months; and without ammunition an Artillery regiment could have no practice in the duties which it was specially instituted to perform.

THE EARL OF RIPON wished to state, in reply to the noble Marquess, that what he had intended to say was, that the sergeants of the disembodied militia would be trained at Hythe, and that they would, on their return, not only instruct their own regiments, but would be available for the instruction of the members of the rifle corps. But the Government did not mean that the volunteers should not, if they should think proper, obtain instruction from other quarters. He hoped the noble Earl opposite (the Earl of Malmesbury) would excuse him if he did not then enter into a discussion of the points which the noble Earl had raised. He should take care, however, that the matters to which the noble Earl had referred should become the subject of due inquiry.

THE EARL OF HARDWICKE asked the noble Earl to consider whether these volunteer corps had not better be formed on a system of companies instead of regiments, so that if they were ever called out for actual service, a company might be attached to each line regiment as a light company.

JAMAICA IMMIGRATION ACT.

PETITIONS.

LORD BROUGHAM *presented* numerous Petitions from places in Jamaica, British Guiana, and England, praying for Inquiry into the System of Immigration. The petitioners complained of the mode in which the coolies were engaged, the bad treatment to which they were subjected on their arrival, and the want of due precautions to send them home at the expiration of their engagement; and prayed for an immediate and searching inquiry into the subject. The petitioners objected to the system of immigration altogether, and stated that the planters had the means of obtaining a sufficient supply of labour without having recourse to immigration. This, however, was a difficult and doubtful question, which he would not take upon him to decide. The petitioners asked for a searching inquiry by means of a Committee of their Lordships' House. Perhaps some amelioration might be given to the condition of the planters, who had suffered, and were still suffering, by encouraging the introduction of machinery, by giving facilities for drainage, or by some grant which would enable them to carry on their cultivation in a more effectual manner than they were able to do at the present time.

THE DUKE OF NEWCASTLE said, that the whole question of the supply of labour to the sugar-growing colonies of England, and the immigration of coolies, was one of great importance, and was too complicated to allow their Lordships to enter into the discussion of it upon the presentation of a petition. His noble and learned Friend did not agree with the petitioners that the introduction of labour was not required, and that there was ample labour already in the colonies. [Lord BROUGHAM: I do not decide one way or the other.] Without entering into a long discussion, he might put it to his noble and learned Friend whether sufficient proof of the necessity of an introduction of labour was not given by the single fact, that in all cases in which additional labour had been introduced the colonies, who were the best judges of their own interests, had taxed themselves to obtain that supply of labour. His noble and learned Friend had expressed a desire that a Committee should be appointed this Session to inquire into this most important subject. He (the Duke of Newcastle) should be most unwilling to resist the appointment of such a Committee if the Session were not so far advanced. He would put it to his noble and learned Friend whether any great object could be obtained by the appointment of a Committee this Session? No doubt, on a future occasion, the evidence of persons in the colonies, who were desirous to represent their own wishes and interests, might be obtained, and it would be unfair to the inhabitants of those colonies, who had suffered so much, and some of whom had had their estates ruined by the want of labour, to appoint a Committee this Session, and let its Report be circulated, before they could be heard in answer. He did not feel certain that the law was in fault in those cases of hardship to the immigrants which were stated to have occurred. He was rather inclined to believe that where a coolie had been unjustly dealt with, it was the fault of individuals and not of the law, which, if properly applied, would, perhaps, be found sufficient to prevent such cases. If, however, his noble and learned Friend thought that he could suggest an improvement of the law, he should be happy to support any measure he might introduce for its improvement.

After a few words from the Earl of AIRLIE,

LORD BROUGHAM remarked, that the taxation levied for immigration purposes did not fall upon the planters alone, but also upon the poor negroes; and they complained of having to pay for bringing in persons who were to compete with them in the labour market, and lower their rate of wages. He had no desire that the Committee should hear only one-sided evidence. If it were too late to appoint a Committee this Session, why should not a Commission be appointed?

ENDOWED SCHOOLS (IRELAND).

THE EARL OF CORK rose to ask, whether it was the intention of Her Majesty's Government to introduce a Bill this Session for the better management of endowed schools in Ireland. The noble Earl said, that that was a subject of considerable importance as the number of those schools amounted to not less than 2,300, and their endowments were considerable. Their Lordships knew that the Queen's Colleges in Ireland were instituted by the late Sir Robert Peel in 1845, with a view to the education of all classes of the people, and each of these colleges received a grant from the Consolidated Fund of £7,000 a year. But their Lordships would be surprised to learn that though ample testimony was borne by the Commissioners who had been appointed to inquire into the subject, to the learning of the professors, and to the quality of the education they afforded; yet since the time that the college system had come into play in 1845, not more than 1686 students, matriculated and non-matriculated, had taken advantage of them; and what their Lordships would be equally concerned to hear, with the single exception of the year 1852, the number of matriculated students was less last year than in any year preceding. The Commissioners assigned various reasons for this want of success, and it was too wide a subject to be introduced in the form of a question. He would not, therefore, allude to more than one cause in which all parties were agreed, and that was the inefficiency of the intermediate schools in Ireland. He was aware that great difficulties beset this question, but he was sure that delay would only increase them. Several important meetings had been held in the south of Ireland, and although there was a difference of opinion as to the appropriation and allotment of the funds, he believed that both Catholics and Protestants were agreed on this point, that Government ought to step in and take some means of rendering available to the mass of the community those vast educational resources which the inquiries of the Commissioners proved to exist. In conclusion, he had only to express a hope that Her Majesty's Government would, by taking up this question, prove that they were guided by those liberal principles which they professed in Opposition, and that they would thus endeavour to regain some degree of that confidence which he was afraid the late elections showed they had lost in Ireland. The late Government had acted very liberally with Ireland, and he believed they had prepared a Bill on this very question. He hoped the present Government would not be behind their predecessors, but that they would next year propose a satisfactory settlement of this question. His question was, whether it is the intention of Her Majesty's Government to introduce a Bill this Session for the better Management of the Funds of Endowed Schools in Ireland?

The Earl of DONOUGHMORE wished, before the noble Earl opposite (Earl Granville) replied, to make an observation or two upon the subject. The noble Lord who had just sat down was not quite correct in stating that the late Government had prepared a Bill upon this subject, though it was certainly true that they had given much attention to the subject, and the outlines of a measure were prepared; but the pressure of other business prevented its being properly matured. His noble Friend had stated that the Commissioners appointed to inquire into the Queen's Colleges in Ireland had reported that those colleges failed to command the confidence and support of the middle classes of Ireland, and they attributed part of that failure to the want of proper intermediate schools. He was not disposed to deny that; he quite agreed with his noble Friend that there was a want of those schools; but another and equally important cause of that failure was the continued and persistent hostility of the Roman Catholic clergy. They were determined that they never would support a system of mixed education, and all their efforts had been and would be directed to prevent the middle classes from making use of these colleges in the form in which they at present existed. He agreed with his noble Friend that something should be done for the regulation of those schools, for whose support large sums of money had been set apart from time to time, and lands devised for their use, while the amount of work got out of them was miserably small. But before anything was done by Parliament there was a preliminary question for the Government to settle, and till it was settled it was impossible that any measure could be satisfactorily introduced. The Endowed School Commissioners who made the Report of last year consisted of five persons, of whom the Marquess of Kildare, Dr. Trench, and Dr. Hamilton, were supposed to represent the united or neutral, or as it was sometimes called, the non-exclusive system of education; Mr. Stephens represented the feelings of the Established Church, and Mr. Hughes, who was then Solicitor General for Ireland, represented the opinions and feelings of the Roman Catholics. Now, it was extraordinary to remark that those three gentlemen who represented the non-exclusive system reported strongly in favour of taking all the Endowed Schools for which the least colour of an allegation could be set up that they could be consistently applied to the non-exclusive system and putting them under a system of rules and regulations with respect to religious teaching similar to those of the Irish National Board. On the other hand, the gentleman who represented what may be considered as the feelings of the Established Church, in a separate Report which he made, and with arguments which to him (the Earl of Donoughmore) appeared unanswerable, objected entirely to this course, and argued that the funds for those schools had been bequeathed for Protestant purposes, and that they could not, without a gross injustice, be applied either to Roman Catholic or to a neutral system of education. But what was the statement of the Roman Catholic representative, Mr. Hughes? Passing over altogether the question whether those endowments could be equitably taken, he said that whether they were taken by the Government or not did not matter; that the Roman Catholics would not accept of them; that they would not accept of a neutral system of education; that they were determined to have a system of education separate from Protestants, and that Catholics should be educated by Catholics. What the occasion really called for was that the question should be tried at law, to whom those endowments belonged. Take the diocesan schools, for instance—could they be equitably applied to such purposes as were pointed at by the majority of the Commissioners? Or was it consistent with the intentions of the Sovereign and Parliament to apply that principle to those schools which were raised under the authority of an Act passed in the reign of James I? He thanked their Lordships for having listened to these remarks, which he thought it right to add to the observations of his noble Friend, who, he was afraid, had not sufficiently considered the magnitude of the task he laid upon the Government.

Earl GRANVILLE said, he was much obliged to his noble Friend opposite for the observations he had made, pointing out the difficulties which attended the subject. The noble Lord had also pointed out the mistaken statement of the noble Earl (the Earl of Cork) that the late Government had prepared a Bill on the subject; and he thought his noble Friend would hardly expect any other answer than that he was about to give—that it was not the intention of the present Government to introduce any Bll this Session. At the same time he fully admitted the importance of the question and the obligation of the Government to consider what steps they could best take on this question.

House adjourned at a quarter past Six o'clock, till To-morrow half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 11, 1859.

MINUTES.] NEW MEMBERS SWORN.—For Edinburgh City, Right hon. James Moncreiff; for Cork City, Francis Lyons, esq.

PUBLIC BILLS.—1° Westminster New Bridge; Pawnbrokers.

2° Poor Law Boards (Payment of Debts); Constabulary Force (Ireland); Westminster New Bridge.

3° Court of Probate, &c., (Acquisition of Site); Clerk of the Council.

RED SEA AND INDIA TELEGRAPH COMPANY (No. 2) BILL.

LORDS' AMENDMENTS CONSIDERED.

Order for the further consideration of Lords' Amendments read.

SIR JAMES GRAHAM said, he was anxious to call the attention of the House to some considerations connected with this Bill. He thought the hon. Baronet the Member for Evesham (Sir H. Willoughby) had done great public service in pointing attention to the nature of this measure when it was last before the House. He (Sir J. Graham) had since endeavoured to ascertain the facts connected with the introduction of the Bill and the efforts made to pass it. He held in his hand the original prospectus of the Company, issued in August last, in which the substance of the agreement subsequently made by them with the Government was embodied. The Bill containing that agreement was introduced at the commencement of last Session. Private Bills, as the House was aware, were proceeded with either before the public business was entered upon, or at its close; when the rules of the House had been complied with, they passed through very much as a matter of form. The attention of the House was not particularly directed to this Bill, no responsible Member explained the nature of the transaction; the Bill passed, and was carried up to the House of Lords without comment, so far as he was able to ascertain. There it arrived at its last stage immediately before the dissolution, and so dropped, though an attempt was made on the part of the late Government to pass it, the late Prime Minister declaring that it was desirable that there should be no delay. The Duke of Somerset, however, stated that he saw no reason why this Bill should form an exception from the treatment of other Bills of a similar class. The Bill was re-introduced in the present Parliament, the same forms were gone through in this House without observation, as it appeared, on the part of hon. Members, and it went up to the House of Lords, where it was on the point of passing, when Lord Stanley of Alderley, in its last stage, insisted as an Amendment, that the whole of the contract between the company and the Government should be inserted in the Bill. That Amendment the Lords made, and that Amendment the House of Commons were now called on to consider. He (Sir J. Graham) had a strong opinion that this Bill contained some objectionable clauses. In the first place, it gave a guarantee of 4½ per cent upon all the capital of this company paid up:—and for what period, would the House believe, that guarantee was given? Why, for a period of fifty years from this time. And that guarantee was to extend over the whole of that long interval without reference to the success of the company. It might be said, that they might confidently rely on the success of the undertaking. Why, that was by no means so certain; yet the guaranteed interest was, even if there were no return, for fifty years. There was another circumstance in which he saw the most serious objection—namely, that the Government was to nominate two *ex officio* directors. One of those *ex officio* directors, an intimate friend of his own, was a first-class clerk of the Treasury, a gentleman of the highest honour, and for whom he had the greatest respect; and the other was equally a gentleman of high respectability; but what was the temptation to which these gentlemen were exposed? There was no restraining clause whatever in the Bill against those *ex officio* directors becoming shareholders in the concern. It seemed to him that the Bill stood on the same footing as the Atlantic Telegraph Bill, and that the extent to which these contracts were now carried required the cautious consideration of Parliament. He thought, under the circumstances, the House would do well to suspend the further consideration of the Lords' Amendments of the Bill for a fortnight or three weeks to enable the Committee on Contracts, which was to be appointed that night, to inquire into the transaction and report their opinion upon it to the House. That being the view he ventured to take of the matter, he moved as an Amendment that the further consideration of the Lords' Amendments be deferred for one fortnight.

Mr. ELLICE (St. Andrews) seconded the Amendment, and expressed his obligations to his right hon. Friend for bringing this subject under the consideration of the House. He (Mr. Ellice) came down to the House for the purpose of asking the Chancellor of the Exchequer when he intended to nominate his Committee on Contracts, and to raise a discussion with respect to the constitution of that Committee. It was of the utmost importance that the Committee should be composed of independent members. He complained that the Treasury gave their sanction to Bills of this description without the House having before them any of the grounds on which they did so; and he intended to call the attention of the House to that subject, which was altogether contrary to what used to be the practice of the Treasury. By the constitution of the Treasury it was intended to control the expenditure, not to originate it.

Motion made and Question proposed, "That the further consideration of the said Amendments be further adjourned till Monday, 25th July."

Sir JAMES GRAHAM rose to make an explanation. He was in error in stating the Bill had been re-introduced in the present Parliament. It appeared to have been suspended, which, of course, made his case the stronger, as this would be the only opportunity the House would have of fairly considering the arrangement.

Mr. GREGSON said, that the only Amendment of the slightest importance, except the schedule, was the omission of the clause giving borrowing powers to the Company. The project was before the public for eighteen months before the guarantee was obtained, a prospectus issued in 1857, promising a 5 per cent conditional guarantee from the East India Company, having failed to induce the public to subscribe. He had received a letter from Mr. Cawthorn, the broker to the company, a gentleman of high respectability, who said:—

> "You will recollect the anxious deliberation bestowed upon the extent of guarantee to be given by the Government to the Red Sea Telegraph Company, and the desire felt not to require more than sufficient to float the shares. I can conscientiously declare that I believed at the time, and still believe, that lower terms than those granted to the company would not have been sufficient to raise the capital required for the undertaking. The result of the issue of the shares fully corroborates this opinion, for from the date of the issue of the shares—namely, the 2nd of August last, to the 7th of January, the price ranged from 12*s.* 6*d.* premium per share to 5*s.* premium, the average being 8*s.* 9*d.* premium per share, a profit not too remunerating. Subsequently the shares were done at a premium of 15*s.*; but when an obstacle to the passing of the Act of Parliament arose the shares fell to 32*s.* 6*d.* discount. On the passing of the Bill by the Lords, they rose to a premium of ½ to ¾; but without such guarantee by Act of Parliament the price would again fall to a discount, and the shares become unmarketable and great difficulty felt in getting the remaining calls paid."

The total length of line from Alexandria to Kurrachee was 3,268 miles, with eight stations. The line was now completed from Alexandria to Aden, a distance of 1,590 miles, and the remaining section to India would be completed by the end of this year. The Stations are:—

	Miles.
Land Line:—	
Alexandria to Suez	220
Submarine:—	
Suez to Cosseir	260
Cosseir to Suakin	474
Suakin to Aden	636
Total	1590
Aden to Halleani (Koori Moorio)	730
Halleani to Muscat	490
Muscat to Kurrachee	458
Total to India from Alexandria	3268

Due securities were taken by the Government. All advances of interest by the Treasury were to be a charge against future profits, and all profits beyond 10 per cent were to be at the disposal of Government for the benefit of the public. The Government had the power to fix the tariff, and all the proceedings of the company were subject to the approval of the Lords of the Treasury, who appointed two *ex officio* directors. The capital was subscribed entirely on the faith of the contract with the Treasury, one of the conditions being that the Company should proceed at once with the work, and enter into contracts for the completion of the line within a given time. Great inconvenience had been caused by the delay which had already occurred in passing the Bill, which went through both Houses in the usual manner, the money clauses having been passed in Committee of the whole House, on the motion of the right hon. Gentleman the late Chancellor of the Exchequer. The following particulars connected with the laying of the cable would, he trusted, be interesting to the House:—

> "The cable was laid without any difficulty between Suez and Aden, the greatest depth being 500 fathoms, and the bottom soft throughout. It works admirably (according to the engineer's report, better than any line hitherto laid), and has been continually at work, though not handed over to the Company till thirty days after laying. There has been an interruption at Cosseir, caused by an Egyptian steamer dragging her anchor in a gale of wind. It is probably repaired by this time, being in the harbour, and in shallow water· Mr. Lionel Gisborne, the engineer, telegraphed by this line the loss of the *Alma* from Aden to Cosseir in a long message of seventy or eighty words, and received a reply within an hour. The Company's officers have received a reply within an hour. The Company's officers have received the most cordial assistance from all the Turkish and Egyptian authorities, and a slight disturbance among the Hadjis (pilgrims) at Cosseir, who pulled down the telegraph land-mark, was immediately suppressed by the Governor. At Suakin the Pasha entertained all the telegraph staff at a grand dinner, and rendered them every assistance in his power. This morning's mail brings intelligence of the completion of the land line between Alexandria and Suez."

Considering the importance of a line of telegraph to India, and that the Bill received the assent of the House in March last, he trusted that the right hon. Baronet would not persevere in his opposition to this Bill.

Sir HENRY WILLOUGHBY thought the hon. Gentleman had entirely missed the real objection to this Bill. The House now for the first time learned the financial bearing of the question through the Lords' Amendments, which were injurious to the rights of that House as the "guardian" of the public purse. He hoped the House would not compromise its rights by assenting to such a course. The House had remained uninformed of the circumstance of an agreement having been come to, and that under certain circumstances the public Exchequer would be subjected to annual payments of £36,000—that was at the rate of 4½ per cent—for fifty years. In the case of £1,000,000 being raised the annual outlay would be £45,000. In every case where financial burden was imposed on the British public the proper formalities for granting public money should be passed through. He thought it might be well to pass a Resolution embodying the duty of observing that principle in every case. He was glad that the right hon. Baronet had called attention to the question, and he was sure that it was not for the honour and dignity of the House that the practice complained of should continue.

Mr. H. BAILLIE said, he would not enter into the question as to whether it was desirable and necessary that they should have an electric line to India, but he thought the terms granted to this Company were such that it would have been better if the Government had made the line themselves. He should support the Amendment.

Mr. FITZROY wished to set his hon. Friend (Sir Henry Willoughby) right on one point. His hon. Friend said the first opportunity they had of knowing the financial bearing of the Bill was by means of the Lords' Amendments. Now on that very point a Resolution was agreed to by a Committee of the whole House, which certainly was not carried *sub silentio*. In every case the course was pursued which the hon. Gentleman said ought to be pursued—a Resolution was passed in Committee of the whole House before the grant of any public money could be agreed to.

Mr. LABOUCHERE said, it might be perfectly true that every stage of this Bill had been regularly gone through and all the usual opportunities for discussion afforded; but at the same time this was the first time that the attention of the House had been called to this question. This matter came before the House as a Private Bill; but it was impossible to deny that there were considerations of a public nature connected with it. It was a Bill not merely brought forward by private parties, but a Bill to carry out an arrangement between those private parties and the public, and the House ought to satisfy itself that the measure was a sound one. He was rather surprised to find that the defence of the Bill had been left to the private parties who were promoting it; he should have thought that the Secretary to the Treasury in the late Government would have supported the Bill. He should certainly support the Motion of his right hon. Friend the Member for Carlisle. He thought it high time that the serious attention of the House should be called, as the attention of the country was called, to these grants of the public money by the Government. He did not deny that it was of great public importance to have telegraphic communication between this country and India, and he was not prepared to say at that moment that Government was not perfectly right in giving their sanction to this Bill; but in order that the House might have an opportunity of seriously considering the question, he should vote for the Motion for postponement.

SIR STAFFORD NORTHCOTE said, he could assure his right hon. Friend that he had no hesitation in rising to address the House on this subject; but he was anxious to hear what course the discussion was taking, because it appeared to him that there were two points, and he did not exactly understand on which of them the Amendment was based. In the first place there was a question raised as to whether the mode in which the Bill had passed through that House was a correct and convenient mode, and whether it brought before the notice of the House the effect of the Bill. Now, no one could feel more strongly than he did that that House should be fully aware of all that it was asked to do in the way of originating or enlarging public expenditure. He was a young Member of the House, and was not very familiar with the practice with regard to Private Bills; but he understood that the usual course had been pursued with regard to this Bill, and that an opportunity had been afforded to any Member if he had been watchful to call the attention of the House to it. He regretted that it had failed to attract attention, and he was quite ready to agree to any such Resolution as was proposed by the hon. Member for Evesham, in order to bring such matters before the House more distinctly. The other point that had been raised was as to the expenditure proposed, and the right hon. Baronet the Member for Carlisle had stated that he regarded the contract entered into by the late Government as very objectionable, and that the late Government had done something quite unusual in entering into that contract. The matter had been arranged before he (Sir Stafford Northcote) had entered upon his duties at the Treasury, but he believed it was based upon the example of similar contracts made by preceding Governments, and especially upon the contract with the Mediterranean Extension Telegraph Company, from Cagliari to Malta and thence to Corfu, in which case the preceding Government gave a guarantee of 6 per cent for twenty-five years, instead of 4½ per cent for fifty years, as in the present instance. The right hon. Baronet thought the Government had done wrong in interfering to float the line; but the object was one of great importance, and if the only mode of successfully floating the line was by a guarantee, he thought the Government was wise in giving it. The right hon. Baronet also said that the Government were about to pay the public money for nothing. But the contract was not a one-sided bargain: the Company had bound themselves to certain provisions which would compel them to perform their part of the contract. One condition was that when the line was once laid the Company were bound to work it, and if they did not the Government might take possession of the line. If the line were not made, of course the contract did not take effect. There were other conditions in the contract giving the Government certain advantages, such as the right of priority in sending messages. That was an important matter. Let that be contrasted with the stipulations made by some of the lines in this country. The Submarine Telegraph Company had entered into a stipulation with France, by which the French Government got the priority. What an immense importance it was to this country to maintain communication with its East Indian possessions. Let the House consider the case of the late Indian mutiny, and a thousand other circumstances, in which rapid communication with India was absolutely necessary, and it would agree that any arrangement, however extravagant it might seem, that put this country in communication with our East Indian possessions, without making the country dependent on any foreign Government, was of the utmost importance. The contract was very carefully drawn, and the late Government had improved on the terms entered into by their predecessors in regard to the Mediterranean extension line. Provision was made for a reserve fund, and for a reduction of the charges to the public, and all possible care was taken to provide for the good working of the line. He thought the clause empowering the appointment of *ex officio* directors, having authority to control the whole proceedings of the Company, and to take care that nothing was done to imperil the security, a good clause, though the right hon. Member for Carlisle had objected to it. [Sir JAMES GRAHAM said, his objection was that there was no prohibition of these *ex officio* directors from being shareholders.] It was true there was not, and that was an oversight. With respect to the adjournment of the consideration of the Lords' Amendments he expressed no opinion. That was a question for the Government and the promoters of the Bill. He thought the agreement made by the late Government a good, proper, and economical agreement; and there was nothing on which he was more ready to encounter scrutiny. Therefore, he did not oppose the Motion for an adjournment of the discussion for a fortnight.

Sir JAMES GRAHAM said, that this being a Private Bill, there were not more than fifteen copies of it printed, and now that he had got a sight of a copy, he found the case infinitely stronger than it was. [" Order."] Did the House desire to know the facts?

Mr. ROEBUCK: I called the right hon. Gentleman to order, not because I did not wish to hear him, for I am always desirous of hearing him, but because no Member can speak twice on the same subject.

Mr. SPEAKER: The right hon. Baronet has only a right to explain.

Sir JAMES GRAHAM: I was endeavouring to explain that these *ex officio* directors were not prohibited from holding shares. So far from that, there is a provision in the Bill that they may hold shares.

Mr. KINNAIRD observed that there was nothing peculiar or irregular in the way in which the Bill had passed through its stages. The principle now laid down with respect to these grants was no doubt very correct: but the House was bound to consider the position of the shareholders in this case. The shareholders of the line were now in this position that, after a Government guarantee had been distinctly given, and after they had on its faith expended three fourths of the capital, the guarantee was now disputed, while at the same time they were not able to complete the line because they could not make a call or borrow money until the present Bill passed. Any delay would be most prejudicial to them, and he must say that the present proceeding savoured very much like repudiation. He must warn the House that it would be most prejudicial to the public service if the commercial classes were to find that the guarantee of the Treasury was worth nothing. It should be borne in mind that this undertaking was projected during a great crisis in the affairs of this country—namely, during the Indian Mutiny, when rapid communication between India and this country was of vital importance.

Mr. CRAWFORD said, that his hon. Friend who had just spoken had anticipated what he had to say. More than half of the capital of the Company had been raised and expended on the faith of the guarantee, and he wished to know whether it was competent for the House now to consider the Bill otherwise than exclusively in reference to the Lords' Amendments.

Viscount DUNCAN thought that the question before the House was whether they were to sanction a system which gave away the public money by a private Bill of which only about twelve or thirteen copies were printed, and by which the matter was not brought distinctly before the House. Until attention was drawn to the measure he was not aware of its provisions, and now he found that by one of the Lords' Amendments it was proposed to give a guarantee of 4½ per cent for fifty years on a sum of £800,000, which might be raised to £1,000,000. He did not wish to raise any impediment in the way of establishing telegraphic communications with India, but it was a great public question whether that House should bind the country for fifty years to pay the sum of £45,000 for this Red Sea Telegraph. Without adverting to the merits of the matter, he raised his voice against binding this country in such a way to give a guarantee on an undertaking not even now in existence. It would be far better to give the Chancellor of the Exchequer the entire power of making these guarantees without referring them to the House at all.

The CHANCELLOR of the EXCHEQUER said, that this was a question of very considerable nicety and delicacy; and he thought it his duty, holding the office he did, to state to the House what considerations occurred to him. He must say that he was a little disappointed when the hon. Baronet opposite (Sir S. Northcote) declined to enter into the question of the Motion of the right hon. Member for Carlisle, stating that was an affair for the Government and the parties to consider; for the right hon. Baronet was the official organ of the Government that made this contract.

Sir STAFFORD NORTHCOTE explained that it was made some months before he joined the Treasury.

The CHANCELLOR of the EXCHEQUER said, he did not mean to state that the right hon. Baronet made the contract, but only that he was the official organ of the Government that did so. He wished simply to state to the House the view he took of the position of the Government in regard to the contract, because the matter was one of the extremest delicacy, and public credit was that which not only ought not to be broken, but ought not to be even suspected of being capable of being broken. What he found to be the case, when the present Government assumed office, was that the present Bill was in the House of Lords, and noblemen connected with the Government in that House, as a debate upon it was about to take place, made application to him to know whether it was the intention of the Government to support the Bill as it stood. His answer was, that in his opinion they were pledged to the Bill as it stood, and that it was too late for the Government to raise a question on its merits. The merits therefore were not entered into by the Government in the House of Lords. It was his intention undoubtedly when the plan was brought to issue, to fulfil the contract, which he found written in the agreement between the Executive Government and the parties to the following effect?—That an Act of Parliament (according to the last clause of the Bill) should be applied for in the next Session, for the purpose of confirming and giving effect to the agreement; and that the clauses necessary for the purpose should be submitted to, and approved by, the Lords Commissioners of the Treasury, who were to sanction and further the application by the Company for such Act of Parliament. That was the agreement, and on coming into office and finding these terms in existence laid down, and entirely indepeudent of the discretion of the present Government, no choice was presented to them except to give their support to the Bill. On that agreement he felt bound to act; but with respect to the rights of the House, that undoubtedly was a different matter, and it was not for him to determine, but for the House to decide where its jurisdiction commenced, and what were its duties and obligations, and he had no doubt that it would consider the former and adhere to the latter. He did not understand that the right hon. Member for Carlisle raised any issue as to the merits of the contract; but he merely recommended that as this was a new Parliament, and as the arrangement under which the Bill was brought before them in its present form, and which had prevented the present Parliament from entering into a minute examination of the measure, had been made, not for the convenience of Parliament, but of the parties interested in the Bill, its further consideration should be postponed for a term of fourteen days, in order that the House might know what they were going to vote. The right hon. Baronet said,—

> "Arrangements of great importance have been made between the Government and the Company; principles of great moment to the public interests are involved in those arrangements; and as a Committee is about to be appointed to inquire into the general question, let us have an opportunity of ascertaining accurately what we are asked to do."

In that suggestion he (the Chancellor of the Exchequer) did not see anything tending to impugn or to weaken the force of the contract between the Government and the parties, or to impair the nature of the obligation, whatever it might be, which Parliament had contracted with regard to these parties. He hoped, therefore, that the hon. Member for Lancaster (Mr. Gregson) and other hon. Members would not persist in their objections to the postponement. If they did so it might be supposed out of doors that an issue was raised upon a question of public faith, whereas there was merely a demand for time, with a view to consideration. The concession of such time might be attended with some temporary and limited inconvenience to the parties; but if his right hon. Friend the Member for Carlisle thought the House ought not to proceed blindfold in a matter of such public importance, as that view was entertained by so many hon. Gentlemen, he (the Chancellor of the Exchequer) would feel bound to support his proposition. He would only add that in the last Parliament, on the 14th of March, a Resolution was reported by the then Chairman of Ways and Means from the Committee on the Red Sea and Indian Telegraph Company, the effect of which was, undoubtedly, to give the sanction of the House of Commons, so far as preliminary proceedings were concerned, to the agreement which had been entered into between the Government and the Red Sea and Indian Telegraph Company, and in such cases the first Resolution of the House was very commonly, if not universally, regarded as a sufficient foundation to warrant the parties in proceeding with their arrangements.

MR. DISRAELI thought it right to observe that the resolution to support this Company adopted by the late Government was influenced by motives of public policy. The whole question of guarantees was at an early period brought under their consideration, when a variety of propositions of a similar character had been preferred. But the late Government came to this conclusion, that it was not advisable that Her Majesty's Government should enter into any unconditional guarantee. But they felt it their duty to make an exception to that principle; and that was for the purpose of securing a telegraphic communication with India, the question at present under consideration. He would remind the House of the political causes at the time existing which prompted the late Government to enter into such an agreement. The late Ministers felt that it was not only an injury, but a disgrace to this country in the present age of science and of progress, that we should be any longer without the means of telegraphic communication with our Indian empire. Well, then, was it possible to obtain that most desirable object in any other manner than the present? Of course the late Government did not enter into this guarantee until they had exhausted every mode of research by which they could ascertain whether there was any prospect of obtaining such a result by any other means than that in question. It was their deliberate opinion, after considerable delay and prolonged investigation, after consultations with the ablest men, and endeavouring by every means in their power to obtain authentic information—that this was the only means by which a telegraphic communication between this country and India could be accomplished. The late Government under such circumstances shrunk from the responsibility they felt they should have incurred before Parliament if they did not do everything in their power to bring about that result. So much for the great object itself, and the conduct of the Government in respect to it. They had also given a guarantee to secure a similar communication with the United States. Now with respect to the feeling of the present House of Commons. No doubt it was natural for a new Parliament, when called on to sanction such an engagement to view it with some jealousy; but they must not forget that according to the laws and regulations of Parliament, this was not a new House in relation to this measure. Though it might, therefore, be natural for that House to view this arrangement with jealousy, it was not a legal and constitutional feeling. It was not open to this House to say that they heard of this matter now for the first time—that it was in consequence of Amendments in the Bill now made by the House of Lords that they ascertained for the first time the important engagements entered into by the previous House of Commons, and which they were now called upon to fulfil. That would not be a fair course of proceeding, nor one consistent with the rules laid down for the guidance of Parliament. They should consider this Bill to have gone through all its stages in the House of Commons now sitting, and he thought it had been shown indisputably that every Parliamentary form to guard against any misapplication of the public money had been observed. With regard to the Motion of the right hon. Gentleman (Sir James Graham) he had not had the advantage of hearing what its object was; but if it were to be interpreted in the manner in which it had been by the Chancellor of the Exchequer, he should not care to oppose it. It was of importance that the public mind should be satisfied on all these transactions; and if no great public injury or inconvenience could occur from this delay, so far from its being disadvantageous, on the contrary, it might be desirable that the matters in question should be referred to a Committee. Of course the Government were better informed as to the proceedings connected with this subject than Her Majesty's late Ministers; whether the line had been carried on to Aden; whether any arrangements necessary to continue and accomplish the line might be injuriously delayed by the postponement of this question he could not at that moment decide. The Government had received, no doubt, the latest information upon those points. All he wished to impress on the House was this: that the work itself was a great national object of the highest importance and magnitude; and the Committee themselves would soon discover that which the late Government had already found out, that it was only by the present mode this great national object could be achieved.

MR. BOUVERIE said, he was at a loss to understand what object could be attained by the postponement of the Bill with a view to its consideration by the Select Committee to be appointed to-night. Even if the contract should prove to have been improvident, so far as the public were concerned, the matter had gone so far that the faith of the House of Commons was pledged to the arrangement, and it would now be too late to back out of it. He thought this case showed that the forms of the House were defective, and that this discussion might have been avoided if a full statement of the circumstances connected with the contract had been submitted to the last Parliament. The right hon. Baronet asked for delay that they might ascertain if the forms of the House had been complied with; but the Lords had introduced no Amendment into the Bill; they had only appended a schedule containing the terms of the contract, and the real question, a mere technical one, was, would the House approve of that schedule, for the principle of the Bill had been already passed by the House. The Company had made a call, spent their money, and executed a great part of their project, and the case was one in which the public credit required that there should now be no repudiation on the part of Parliament. The bargain might or might not have been an improvident one, but advantage could not honourably be taken of a pure technicality to get rid of it.

MR. SPEAKER wished, before putting the question, to say a word on a point of form. In the case of this Bill and two other Bills of a similar nature—namely, the Indian and Australian and the Atlantic Telegraph Bills, in which there were guarantees of public money, the clauses containing the guarantees not having been printed in Italics the first copies of the Bills had been by his direction withdrawn, and fresh Bills presented, with the clauses in question printed in italics, and therefore specially inviting the attention of the House to them. The merits of this question did not come within his province. If there had been anything informal or irregular—anything that contravened the rules and privileges of that House in the Amendments made by the Lords—it would have been his duty to bring them under notice. But there was nothing of that nature in those Amendments. With respect to the inquiry addressed to him by the hon. Member for London—namely, what was the exact Question now before the House? the answer was "Whether the House would agree to the Amendments of the Lords." The Question certainly was not whether the House would revise or reconsider parts of the Bill to which it had given its assent, and which the other House had also accepted.

VISCOUNT DUNCAN hoped the Speaker would inform the House how many copies of private Bills were circulated among hon. Members.

MR. WILSON said, he had understood the right hon. Gentleman (Mr. Disraeli) to say that there had been two exceptions in the time of the late Government to the principle of a contingent guarantee—namely, the Red Sea Telegraph and the Atlantic Telegraph. This was the first time he had heard that an absolute guarantee had been given to the Atlantic Telegraph Company, which, he always understood, had received only a contingent guarantee. He must, however, bear his testimony to the accuracy of the right hon. Gentleman's statement that the late Government had exhausted, but in vain, every means in their power to find parties ready to take up the project of a Red Sea Telegraph on the principle of a contingent guarantee.

MR. SPEAKER said, that copies of private Bills were printed by their promoters, and circulated in considerable numbers among hon. Members on both sides of the House, and that it was in the power of any hon. Member to obtain a printed copy of any private Bill, by applying to the Doorkeepers of the House.

MR. DISRAELI explained, that he had been in error in saying that the guarantee to the Atlantic Telegraph Company was an absolute one. He had been misled by the original agreement, which had been cancelled.

Question put.

The House *divided*:—Ayes 130; Noes 177: Majority 47.

Lords' Amendments *further considered*, and *agreed to*. (Special Entry.)

PATENT OF QUEEN'S PRINTER—BIBLES AND TESTAMENTS.

QUESTION.

MR. BAINES asked the Secretary of State for the Home Department whether it was the intention of Her Majesty's Government, on the expiration of the patent of the Queen's printer for England and Wales, on the 21st January, 1860, to propose the renewal of that patent, so far as it related to the printing of Bibles and Testaments, or any restriction on the free printing of the Holy Scriptures?

SIR GEORGE LEWIS said, that the restraint on printing the Holy Scriptures in the United Kingdom did not, as the hon. Gentleman seemed to think, and, as indeed, was the general opinion, rest merely on the patent given to the Queen's Printer;

it rested on the prerogative of the Crown. The Crown had the prerogative of restraining the printing of the authorized version of the Scriptures, and also of the Book of Common Prayer; and that prerogative would subsist until it was abandoned by the Crown, or put an end to by Act of Parliament. Now with regard to the hon. Gentleman's question, he had to reply that the question of continuing the monopoly of printing the Scriptures was under the consideration of the Government, and as it was one that involved a good many points they had not yet come to a decision on it. Perhaps the House would allow him to state that, so far as the matter had been represented to him it could not be said that there was any practical grievance with respect to the Bible or the Prayer Book as to inaccuracy or as to want of cheapness. He was assured that the cheap prices at which the Bible and Prayer Book were printed could not be exceeded; and that copies printed by the Queen's Printer and the two Universities were circulated in the United States and our Colonies, and competed with Bibles and Prayer Books printed in the United States without any restraint or monopoly. With regard to cheapness, therefore, he was not aware that the removal of the present restriction would be of any advantage. As to the accuracy with which the authorized version ought to be printed, he thought that some authentication by a public authority was necessary. He had to state to the House, also, that although in Scotland there was no monopoly with respect to any printer, there was nevertheless a restraint on printers, inasmuch as it was not competent to any printer in Scotland to publish a copy of the Bible without the consent of the Bible Board; and that was just as much a restraint on the liberty of printing as if the privilege of printing were granted to a limited number of persons. Besides, if that system were introduced in England, the House ought to be aware that it would entail a certain expense. The expenses of the Bible Board in Scotland in 1858 were —for secretary, £600; law agents, £240; law charges and other expenses, £250; making a total of £1,090; an amount which the House would be shortly called on to vote again, when the Miscellaneous Estimates were brought up. If that system were extended to England the expense would be much larger; while, according to the system existing in this country, competition was, he was told, active between the Queen's Printer and the Universities, and the country was put to no expense in ensuring cheapness and accuracy.

MR. HADFIELD asked if the Government would suspend the renewal of the patent until the House had had an opportunity of expressing an opinion on the subject. He thought the right hon. Gentleman was much mistaken as to the cheapness of the work.

SIR GEORGE LEWIS said, that no legislation was required for the purpose of renewing the patent of the Queen's Printer. It was a grant which was derived from the prerogative; and there was no occasion at all for that House to legislate. The Government had come to no decision on the question. What he said was merely interlocutory, and they had no intention of renewing the patent at the present moment, and other opportunities would occur for bringing the matter under the consideration of the House during the present Session.

ROADS, &c., IN SCOTLAND.

QUESTION.

SIR ANDREW AGNEW asked the Secretary of State for the Home Department, whether he could give any information as to the proceedings of the Royal Commission appointed to inquire into the management of Roads in Scotland, and when they were likely to publish their report.

SIR GEORGE LEWIS said, he held in his hand a letter from the Secretary of the Commissioners, in which it was stated that considerable progress had been made in the work—the witnesses from twenty-seven out of the thirty-four counties having already been examined, and there being every reason to believe that the Report would be presented before the close of the present year.

THE WESTMINSTER PALACE CLOCK.

QUESTION.

MR. HANKEY asked the First Commissioner of Works what was the reason why only two faces of the clock in the clock-tower were now made use of? Also, whether there had been any late correspondence between the maker of the clock and the architect of the Houses of Parliament or the Board of Works; and, if so, whether there was any objection to lay such correspondence before the House?

MR. FITZROY said, that the reason why only two dials of the clock were now made use of was that the minute hands, together with the counterpoises which had been ordered for the clock-tower, were subsequently found to be too heavy to be worked. The difficulty had arisen from the divided jurisdiction of the architect of the Palace and the maker of the clock. The weight originally proposed for the minute hand was 2 cwt. ; but the material having been altered and gun metal used, the weight was increased to 3 cwt. outside the dial, with the addition of 4 cwt. of counterpoise within the clock-room. The consequence was that the total weight was 7 cwt. instead of 2 cwt. Instructions had been given to Mr. Dent, the maker of the clock, to construct minute hands and counterpoises of a proper weight. Some correspondence had taken place between the architect and the Department on the subject, but it did not throw much light on the subject, and he did not think it would be worth while to read it.

SUBMARINE TELEGRAPH COMPANY.

QUESTION.

SIR STAFFORD NORTHCOTE asked the Secretary to the Treasury whether the Submarine Telegraph Company have been permitted by her Majesty's Government to lay down any additional wires between England and France, and whether the permission had been given to them without requiring a surrender or modification of the monopoly which had recently been granted to that Company by the French Government, and which gave them an exclusive right to lay down lines of telegraph between the two countries ; and whether there would be any objection to lay on the table of the House the correspondence relating to the subject?

MR. LAING said, that the Submarine Telegraph Company had recently obtained from the French Government a concession which gave them for thirty years a preferential right to lay down telegraphic cables between England and France. Her Majesty's late Government, objecting to that monopoly, used all their interference to prevent its concession ; but failing in that with the French Government they resolved to exercise their jurisdiction on these shores by preventing the Company from laying down the cable on this side of the water ; and orders were issued by the Admiralty that force should be used, if necessary, to carry out the intention of the Government in that respect. That was the state of things when the late Government went out of office. On the present Government coming into power they found a communication from the Company asserting their right to lay down those additional wires under a charter granted to them eight years ago, and which would not expire until 1862. The opinion of the law officers of the Crown had been immediately taken on the matter, which was a very important one, raising as it did the question of the good faith of the Government, who might, if they had not a good case, be involved in heavy damages for preventing the Company from proceeding with the proposed work. The opinion of the law officers of the Crown was in favour of the Company, and the prohibition to lay the wires was accordingly withdrawn ; but the Government had intimated to the Company that it was withdrawn not from any change in the opinion of the Executive as to the monopoly, and had further informed them that as soon as the period for which the charter had been granted expired the Government would feel it their duty to exercise the rights of the Crown in such a manner as the public interests might seem to require. There was no objection to produce the correspondence.

COLLECTION OF THE INCOME TAX.

QUESTION.

MR. BUTLER asked the Chancellor of the Exchequer, whether it was the intention of Her Majesty's Government to introduce any measure during the present Session by which the mode of assessment and collection of the Income Tax by local unpaid commissioners would be altered ; and if so, in what manner it would be proposed to make such assessments and collection ?

THE CHANCELLOR OF THE EXCHEQUER said, there was no such intention.

NAVAL PENSIONERS—QUESTION.

SIR GEORGE PECHELL asked the Secretary of the Admiralty, if it was intended to enforce the re-entry into the service of all naval pensioners, or whether special cases would be considered of persons in receipt of very small pensions, or whom under certain circumstances it might be expedient to relieve from such compulsory service ?

LORD CLARENCE PAGET replied, that about 600 pensioners had been called out. As a general rule, when the pensioners were called out no exception was made in reference to the amount of pension; but whenever there was a special case for exemption brought to their notice the Admiralty were disposed to take a favourable view with regard to the application, as far as the public service admitted. At present there were very few, not more than four or five, who had asked for exemption.

AFFAIRS OF ITALY.—THE ARMISTICE.

QUESTION.

Mr. DISRAELI: The country heard last Friday with gratification that an armistice had been entered into between the Allies and the Emperor of Austria. I wish now to inquire of Her Majesty's Government whether they have received official intimation of the event from the Government of France, and whether the armistice is a mere military convention, or whether, on the other hand, the Government can hold out to the House any prospect that negotiations for peace will be prosecuted in consequence.

Lord JOHN RUSSELL: What I stated was that an official intimation of an armistice had been received by me from the French Ambassador, but that this official information did not go beyond that contained in the *Moniteur*. I have nothing further to say at present, for on the face of the armistice it appears to be only for military purposes. At the same time the House well knows that the armistice which was signed on the 8th instant, will extend to five weeks. I cannot but hope that this duration of five weeks implies that the belligerent Powers will be ready to receive suggestions, or will of themselves propose some terms, by which hostilities may be put an end to. This is at present, however, mere conjecture, since there is nothing on the face of the armistice which declares that, either on the part of the Emperor of the French or the Emperor of Austria, there is any agreement to enter into any negotiations for peace. There is a meeting today of the two Emperors at Villafranca, and I trust that we shall soon have some intelligence on the subject of their interview.

Mr. DISRAELI: I am afraid I have very imperfectly expressed my meaning. What I wanted to know from Her Majesty's Government was whether any further information, except the formal communication of the armistice which the noble Lord announced on Friday, has been officially communicated by the Government of France.

Lord JOHN RUSSELL: I have no further official information, except a telegram from Her Majesty's Ambassador at Paris.

SUPPLY.

On the Motion that the House go into Committee of Supply,

ST. JAMES'S PARK—BERKELEY HOUSE.

Mr. KINNAIRD rose, pursuant to notice, to call the attention of the House to the advisability of taking advantage of the present opportunity of Berkeley House having been pulled down to secure a road for the passage of carriages and horses from Charing Cross through Spring Gardens into St. James's Park. Foreigners who visited London were surprised at the little progress made in the improvement of the metropolis, and this was one of the reasons why the House had bestowed so much labour on the measure which created the present Board of Works. It was important that the House should assist rather than impede that Board in matters affecting the public welfare. Two questions now arose. One was, whether the Parks, for which such large sums were annually voted, should be comparatively closed to the public, or whether the recommendations of a Committee of that House, made after due deliberation, should be carried out. The House would remember that great difficulty was experienced in obtaining so simple a change as opening a communication between the district of Belgrave Square, and St. James's Street, through the Park. Not the slightest objection could now be found against that change, except as to the manner in which it had been carried out. The Report of the Committee recommended that the gate near the German Chapel should be made ornamental, and that there should be an iron railing; instead of which, from some incomprehensible jealousy, large and ugly walls had been erected on each side the thoroughfare, which completely shut out the view of the adjoining gardens. In fact, everything appeared to have been done to make the alteration distasteful, and the Government had thus lost an opportunity of beautifying that part of the metropolis. Another opportunity now presented itself of carrying out the views of a Committee of that House, who had recommended the Government to take advantage of the pulling down of Berkeley House to make a carriage-way in that district. That Committee was no ordinary Committee, but it comprised several eminent men. Two of its Members had been taken away from them and removed to another House, but whether it was in consequence of their not adopting the recommendations of the Committee he could not tell! Berkeley House had now been pulled down, and he was desirous to know what steps the Government intended to take for widening the opening into the Park at that point. It was no new plan. He believed that in 1844 it was thoroughly understood and intended by the Commissioners of Woods and Forests that Carlton House Terrace should be finished when the lease of Berkeley House, which belonged to the Crown, expired. The occupier of that mansion, however, possessed considerable Parliamentary influence. He could command, it was said, five or six votes, and as he prayed for the renewal of the lease, this great benefit to the metropolis was again withheld. There was also a mass of old stables there, and upon the death of the Queen Dowager it was proposed to pull them down and improve the site. Some other persons obtained possession of them; but the new Board of Works had procured the surrender of the lease. They had pulled down Berkeley House, and they proposed to make a wide gate and carriage-way, in order to lessen the pressure and traffic at that particular point. He pressed the subject upon the notice of his right hon. Friend, with the hope that he would be able to state that he was prepared to take the necessary steps to accomplish so important an improvement. Unless some satisfactory explanation was given, he should feel it his duty to take the sense of the House upon the matter. The corner of the Park, where it was proposed to make the opening, was at present a perfect disgrace, and Mr. Pennethorne, in his evidence before the Committee, after recommending the removal of the Duke of York's Column and the formation of a road across the Park to the Houses of Parliament, had expressed an opinion favourable to opening the Park near Berkeley House, which he said could be accomplished by the purchase of only two houses, one of which was Berkeley House. That was in 1844, so that fifteen years had been allowed to pass away without that much wanted improvement having been made. Now that Berkeley House was pulled down, and the Board of Works was willing to give up twenty feet of space to the public, it was only necessary to pull down the ugly wall and railing at the end of the wall; and the other house, which also belonged to the Crown, being let on a lease, of which only thirteen years had to run, there could be no doubt it could be purchased for a very small sum. Some persons had proposed to make an opening from the Park into Cockspur Street, opposite to Drummond's Bank, and it would be undoubtedly more convenient, but also much more expensive, and there would also be some danger from the traffic from Charing Cross meeting that from the Park in a slanting direction. The evidence before the Committee all tended to show that some opening from the Park to Charing Cross would be a great public benefit, and he was sure that Her Majesty, with that gracious consideration which had ever distinguished Her, would be willing to contribute to the execution of so great an improvement, which would also enable Her to pass from Buckingham Palace direct to the National Gallery. He wished to ask the Chief Commissioner of Works whether he had any intention of availing himself of the offer of the Board of Works, and whether he was prepared to take those steps which would be necessary for carrying out the great improvement to which he referred?

VISCOUNT DUNCAN said, that before the Chief Commissioner rose to answer the Question he wished to make one or two observations to the House. He thought his hon. Friend the Member for Perth made a mistake which was not uncommon in not distinguishing between the Office of Woods and the Office of Works. In 1848 he was chairman of a Committee which reported in favour of the disconnection of the Offices of Woods and Works, their functions being perfectly distinct—the Woods being an office of revenue, and the Works being an office of expenditure. The duties of the Office of Woods were important, having to manage the property which had been the freehold of the Crown since the Norman Conquest, and he found that the gross receipts of Crown property for the last year was £420,000, while the civil list was only £382,000. The hon. Member for Perth seemed to think that the property of the Crown was the property of the country. That was not the fact. The Crown was the owner, possessed the title-deeds, and the Offices of Woods were only trustees during the life of Her Majesty to manage the property. He might put a case in point to his hon. Friend, and say, "There is an old house at the corner of the Haymarket belonging to a banking firm, why should that remain for the benefit of individuals when its removal would be convenient to the public at large?" It might indeed be removed, but then there would be compensation to pay, and his hon. Friend had not said a word about compensation in the case of Crown property. He could, however, see that the scheme proposed would cost a great deal of money; but he thought he could point out how it could be got. If property belonging to the Crown was taken, it should be paid for like that of any other individual. But then, who was to pay for it? Was the country? This was a scheme for the decoration and improvement of the metropolis —a vast district, the sixteen parishes of which that were included within the district Board of Works had a rateable property to the extent of £6,000,000. He found that the fact mentioned in a pamphlet by Mr. Leslie, one of the members of the Metropolitan Board of Works, who remarked that if the passage to Charing Cross was to be made, the gentlemen who had hitherto dwelt in the unfashionable quarter of Greek Street, instead of spending £15,000 or £20,000 in building a palace in Spring Gardens, should return to Soho, and devote the money thus saved to the completion of the public improvement so warmly advocated by the hon. Member for Perth. It appeared that many parishes had memorialized the Board of Works against the removal of their office from their freehold premises to Berkeley House, and he (Viscount Duncan) believed that, by the expenditure of £4,000, the premises in Soho Square could be made perfectly adequate to the requirements of the Board. If, therefore, they would be patriotic enough to give up their idea of a palace in Spring Gardens, and hand the money to the Chancellor of the Exchequer, the improvement which was so warmly advocated might be at once proceeded with.

Lord JOHN MANNERS agreed with all that had fallen from the noble Lord as to the impropriety of taking away Crown property. He did not wish to enter upon the question as to whether the Board of Works should have its offices in Soho or Spring Gardens; but he desired to make

a remark upon another point. He had heard no one propose that the Metropolitan Board should pay for the destruction of those houses. He concluded, therefore, that what was wanted was, that the Chancellor of the Exchequer should propose to the House a small Vote to effect this improvement. Great public convenience would, it is said, be the result if a carriage road was made; but what was meant by a great "public" convenience? He quite admitted that such a road would be for the advantage of those who were able to travel in their own carriage or to pay cab hire; but if the hon. Member meant by the "public" those who did not use carriages, and who could not afford to hire them, and who were accumstomed to take their recreation in the Parks, he (Lord John Manners) thought that, instead of being a public advantage, this would be a public injury, for their enjoyment would be entirely swept away by this so-called improvement. The particular angle which it was proposed to take for the purposes of this improvement was a favourite resort of the poor children who frequented St. James's Park, and there were very few other places to which they could go. He hoped the right hon. Gentleman (Mr. FitzRoy) would not be led away by the seductive eloquence of the hon. Gentleman into giving a hasty answer on this question, but that he would take the whole matter into serious consideration.

Mr. TITE said, that he was not a Member of the Metropolitan Board of Works at the time the arrangement for removing from Greek Street to Berkeley House was agreed to, but he nevertheless thought it a wise one, because the latter office was much too small for the transaction of their business, and being freehold, the land would probably sell to advantage, and produce sufficient to enable them to construct the new buildings on the site of Berkeley House. That which had been removed projected eleven feet beyond the line of the Houses on the West side of New Street, but the Metropolitan Board, in the erection of the new house would build it upon a line with other houses. The passage, which was now 220 feet long by 8 feet broad, would in future be 150 feet long and 21 feet wide, which, though very convenient for foot passengers, would not admit a carriage road. But inasmuch as a new terminus was about to be brought to Chelsea, it was thought that the roadway in Birdcage Walk would be much crowded, and this proposal was entertained of opening a passage into the Green Park for carriages at Berkeley House. This could be done by the purchase of one house, the ground of which was the freehold of the Crown, rented to a highly respectable firm of solicitors, to whom it would be necessary to make compensation; but the whole expense of the transfer would be very trifling. It must, however, be remembered that if the Metropolitan Board should make the improvement as had been suggested by an hon. Member, it would be utterly useless unless the Crown allowed carriages the liberty of entering the Park that way. But with regard to the expense it should be remembered that the Board of Works was undertaking various large improvements, such as the carrying of a street from the Borough to Stamford Street at an expense of £190,000; others in New Street, Covent Garden, and elsewhere, all at the expense of the ratepayers, and therefore he thought they ought not to be at the expense of making this improvement. He hoped the House understood how the matter stood, and he begged to apologise for having occupied their attention on a matter which he (Mr. Tite) believed to be of no little importance.

MR. FITZROY said, the question was mainly one of finance, and if his hon. Friend could establish that the improvement would be of great public advantage and could be effected at a small cost all difficulty would vanish. But he ventured to join issue with his hon. Friend on those points. His hon. Friend, in the first place, did not seem aware of the steps which were necessary, and appeared to think that all he had to do was to ask for a small Vote; whereas an Act of Parliament would be required in order to carry out the object wished for. But he was prepared to maintain that instead of being a great public advantage very few persons were interested in the proposed improvement. Reference had been made to the Committee which sat on this subject; but it should be rememberd that many of the arguments then used had ceased to apply now that a new passage had been made by Marlborough House. The advantage gained by opening this new road would be confined to a small portion of the public, who would be benefited to the extent of only a few yards; and was it worth while therefore to throw the expense of effecting it upon the great bulk of the public, depriving the poor, at the same time, of a quiet nook in the Park where they and their families might enjoy themselves? With regard to the expense, it would be necessary to take a slice off Sir John Shaw Lefevre's garden, and to pull down a private house, the hotel at the corner, and the pastrycook's shop, and having had the property valued he had ascertained that this improvement could not be carried out at a much less cost than £53,000. Was the House prepared to throw upon the country such a burden for the sake of so small a gain? It was all very well to talk of what was done in Paris, but the *octroi* there produced £2,000,000 sterling. With such an amount of money at command it was wise to make extensive improvements, but he thought Parliament should pause before it applied the funds of this country in metropolitan improvements which did not concern the bulk of the people, and which would result in so small an amount of public benefit.

MR. BENTINCK said, he was glad to find that the right hon. Gentleman had so completely disposed of the proposal which was under the consideration of the House. He must, however, protest against the doctrine to which the right hon. Gentleman seemed disposed to lend the sanction of his high authority, that one shilling of the Imperial funds should be laid out for the promotion of merely local objects.

MR. H. HERBERT alluding to the remarks which had fallen from the right hon. Gentleman in reference to what he had termed a "quiet nook," which it was desirable to preserve intact for the benefit of the children of the neighbourhood, said, there was immediately adjoining that spot a triangular piece of land from which that interesting portion of the community were shut out, apparently for no particular reasons, and to which they might be admitted with advantage. It would therefore be well if the right hon. Gentleman would direct his attention to the matter and see whether the ground in question might not be made available for the purposes of recreation.

MR. SLANEY also urged upon the right hon. Gentleman the propriety of acting, if possible, on the suggestion which had just been made to him. It would further be desirable that he should take into his consideration the expediency of facilitating the communication between Tyburnia and Prince's Gate, by widening the road, taking it by the top of the Serpentine, and thus relieving Park Lane of a portion of its traffic.

SIR CHARLES NAPIER remarked, that if they intended to open a passage from the Strand into the Park they had better take a road that was already made. There was a house occupied as the Coastguard Office, which, if pulled down, would leave a much more sightly entrance than any he had yet heard of.

BOUNTY TO SEAMEN.—EXPLANATION.

SIR JOHN PAKINGTON said, he wished, before the Speaker left the chair, to receive some further explanation from the noble Lord the Secretary to the Admiralty with respect to the announcement which he had made on Friday last, to the effect that it was the intention of the present Government to extend the bounty to seamen in the navy, which had been granted by the late Government under conditions which would embrace a large portion of those who had previously served in the fleet. He for one had heard that announcement with great surprise at the time when it was made, and he regretted to be obliged to say that subsequent reflection had not removed those feelings of apprehension—he feared, he must add of disapprobation—with which he had from the very first been disposed to regard the policy which the noble Lord had declared it to be the intention of the Government to adopt. He was also sorry to have to state that he did not think his noble Friend had, in making the statement to which he alluded, treated the House with that candour which he ought to have exhibited when the novelty of the proposal which he indicated was taken into consideration. His noble Friend, in short, had refrained from giving to the House those reasons which had induced the Government to make the great change which he announced, and appeared to fight shy of all explanation upon the subject. It appeared that Her Majesty's Ministers had, on Friday last, advised the Sovereign to issue an Order in Council for the purpose of carrying into effect the alteration in question. The noble Lord had, indeed, stated that such was the case ; but that circumstance seemed to prove the more strongly that the views of the Government on the point were fixed, that they had duly weighed the step which they were about to take, and must have known the reasons which had led them to its adoption. Why, then, he would ask, had not the noble Lord availed himself of the opportunity which the announcement of the change afforded to lay those reasons before the House? In commenting on the speech in which that announcement was made he (Sir J. Pakington) had felt some hesitation in expressing disapprobation of a policy which the noble Lord had so entirely failed to explain ; and he must confess that he could not even now understand why the noble Lord had not taken the legitimate opportunity which had presented itself to him on Friday evening to state the grounds on which that policy was based. But, be that as it might, he should entreat the House to consider whether there were any good reasons for the course which the Government had taken. If there were any such reasons, then let them be laid before the House, and he should be the last person to offer objection to the adoption of such a course. There never was an instance, however, in which it, in his opinion, behoved a Government to prove the necessity of the policy which they pursued more than in the present case, inasmuch as every legitimate prescription was opposed to its expediency, and inasmuch as it was contrary—he, of course, spoke under liability to correction—to every precedent on the subject. In the course which the late Government took in issuing a bounty to seamen they had—as he observed in the debate of Friday last—strictly adhered to precedent. Such a precedent was furnished in the last year of the last century. A similar mode of strengthening the fleet was adopted in 1803, and again in 1807. On the last mentioned occasion the issue of a bounty was, if he recollected rightly, repeated from year to year, and was in operation for a considerable time. In no one instance, however, of which he was aware, had a bounty been made retrospective, and offered to men who had previously served in the fleet. When Her Majesty's late Government, about two months ago, felt it to be their duty to strengthen the naval resources of the country by resorting to a bounty, the question with which he was now dealing was raised and forced very much upon their attention, and in referring to it again he could only repeat that which he stated on Friday last, that he never in his life entertained a more decided opinion on any subject than with respect to that of the issue of a bounty to those who were previously serving. The reasons which were pressed upon him to take such a course were chiefly that if he did not do so, great dissatisfaction would prevail in the navy, and that complaints of unfairness would arise among the men.

His answer was, that the question was one of public policy, that the possibility of our being hereafter enabled to resort to a bounty was at stake, and that if unreasonable dissatisfaction arose, it must be resisted and put down. And now he would ask whether the apprehensions on which the reasons to which he referred were founded had been realized? On the contrary, two months had since passed away, and no dissatisfaction had displayed itself; no complaints had been heard. His noble Friend, indeed, in making the startling announcement which he made to the House on Friday last informed them that no dissatisfaction had arisen. His noble Friend told the House that one of the reasons which influenced the Government was a wish to deal generously with the sailors. This was a very plausible statement to make, and he then told his noble Friend that no man was more disposed to do so than himself. But this generosity must not be carried to an unreasonable extent, inconsistent with public policy. It was a notorious fact that the British sailor was never treated with more generosity than of late years. Various advantages had lately been extended to him and a great increase of allowances had been given him. At the present moment the difference of pay and allowances given to continuous-service men was so considerable that they might secure to themselves pecuniary advantages much beyond those which ordinary-service men derived, even with the £10 bounty. Therefore, unless the noble Lord could show a paramount reason for making this change in the policy of the country, he could see most obvious reasons against it. It would be admitted that it was undesirable that any fresh impediment should be thrown in the way of resorting to a bounty, yet no impediment could be more formidable than was now laying down for the future, if the present precedent were established—that be the emergency what it might, no Government could hereafter resort to the bounty to induce sailors to join the navy without saddling the country with a heavy contingent expense to the extent that every man then serving should also receive the bounty.

MR. SPEAKER said, the House permitted great latitude of discussion on the Motion for going into Committee of Supply; but the right hon. Gentleman was even going beyond that latitude, when he replied in the House to a speech made in Committee.

SIR JOHN PAKINGTON said, he had nearly concluded what he wished to say, and he would endeavour not to infringe the rule laid down by the Speaker. The only thing he had now to remark on was the financial result which would attend this proposition. It would be seen by a reference to the Navy Estimates that the cost of the bounty proposed by the late Government was £31,000 and odd; but what would be the cost of extending the bounty in the manner proposed by the present Government? He, of course, spoke with uncertainty, but he was strongly disposed to believe that it would constitute an additional charge to the country of not less than £100,000, and that money would be positively thrown away, as the proposed bounty was never asked for, and was not required; while it established an embarrassing precedent for future Administrations. He hoped the noble Lord would no longer decline to tell the House explicity and fairly the reasons for which this course had been taken—a course that might be attended with a momentary fleeting popularity, but which was unsound in principle and most dangerous as a precedent. He should also like to know what would be the pecuniary amount of this additional charge, and in what way it was proposed to ask for the money, as it was not included in any of the Estimates on the table?

LORD CLARENCE PAGET: I think that the best proof that I can give to the House that I did explain to some extent the reasons which have induced Her Majesty's Government to come to the determination of extending the bounty is, that the right hon. Baronet has been occupied for a length of time in answering the reasons I gave. The right hon. Baronet asks why I did not at at the time enter into more detail with respect to that measure; and I will tell the right hon. Baronet frankly that the reason was that I was not on Friday last in a position to enter into all the details that I could have wished to give on the subject. I was in possession of the decision of the Government, but the Order in Council, which has since been issued, was not in my hands at that time, and I was very anxious, until the Order in Council was actually issued, not to state anything which might by any chance be mistaken. I very much regret that the right hon. Baronet has not taken the advice that I took the liberty to offer him a little while ago, and put off his questions until I bring in the Estimate, which I shall do in a very few days, to carry out the arrangement. At the present moment it is impossible that I can tell him the exact amount which will be required, inasmuch as it will depend on the number of men accepting this extension of the bounty; for certain conditions are attached, and some men may accept those conditions and some may refuse them. I trust, then, that as this measure will come before the House soon, and as the right hon. Baronet will have an opportunity of discussing it upon its merits when the Estimate is laid upon the table, and the House is anxious at this advanced period to get on with the Votes, I may be excused from going on with the debate on this occasion.

THE ARMY.—THE HOME FORCE.

QUESTION.

Colonel DICKSON rose to ask the late Secretary of State for War whether he had noticed a letter in *The Times* of the 8th instant, signed "An Officer commanding a Regiment," and dated Portsmouth; and whether, in the statement which he made of our forces at home on the evening of the 5th instant, he included marines ashore, recruits in readiness for India, enrolled pensioners, and Irish police? The letter he alluded to was headed "General Peel and our Army."

Sir CHARLES NAPIER rose to order. He believed that the House was going into Committee on the Navy Estimates, and not on the Army Estimates.

Mr. SPEAKER intimated that the hon. and gallant Colonel was not out of order, as the Question was that the House resolve itself into a Committee of Supply.

Colonel DICKSON proceeded to read the following extract from the letter in question:—

> "General Peel is reported to have stated last night that we have in these islands a force of 110,000 men. I should like to know where this force is located. We hear of 20,000 men at Aldershot and of 10,000 at the Curragh of Kildare. Where are the rest? Does General Peel include marines ashore, recruits in readiness for India, enrolled pensioners, and Irish police? I rather think he does, and, as the French Emperor, and, indeed, all foreign Governments, know those matters better than we do ourselves, I may as well mention that such exaggerated statements are but calculated to throw dust in the eyes of the people of this country, who, heavily taxed, expect a respectable and well-trained army for the large sums ungrudgingly voted."

He would not trouble the House with the rest of the letter, but commanding, as he did, a regiment at Portsmouth, and having an intimate acquaintance with every branch of the British army, he was competent to form a tolerable judgment as to its condition, and he did not hesitate to say that the letter he had quoted from was a tissue of most unmitigated nonsense. He did not pretend to say that our military organization was perfect, or that reforms were not required, nor would he quarrel with the liberty of the press, to which the army owed so great a debt of gratitude, and he was ready to admit that even when the newspapers published trash under the signatures of "Commanding Officers," "Jacob Omniums," and "Civilians," they caused the subject itself to be thoroughly ventilated, and the cause of truth at length prevailed. But when an officer of rank, described to be actually commanding, stamped with his seeming authority such a document as the one he had referred to, the proceeding was calculated to affect our position in the present critical state of European politics, and the writer of it was guilty of a breach of military discipline. He thought, then, that the military authorities ought to endeavour to discover who the writer was, and to take his conduct into serious consideration.

General PEEL regretted that the time of the House should be occupied so much in asking and answering questions arising out of anonymous letters in the newspapers. For his own part he always treated these personal accusations with the greatest possible contempt. However, as the question put by his hon. and gallant Friend was a proper one, and as it was important that the House should know the exact number of troops that were in the country, he would, without hesitation, reply to it. His hon. Friend the Member for West Surrey (Mr. Briscoe) stated the other night that there were only from 30,000 to 40,000 soldiers in the country, and in noticing his observations, he (General Peel) stated that he was mistaken—that the number of troops in the country amounted to nearly 110,000. He at the same time stated that this number included the embodied militia. It did not, however, include that fine body of men, the marines ashore, the enrolled pensioners, who were certainly fit for better service than the writer of this letter attributed to them; neither did it include the constabulary force of Ireland. He held in his hand the last return made to him before he left office, dated 1st of

June, 1859, and in that return he found that the army at home consisted of:—Cavalry, 11,698; Foot Guards, 6,184; Infantry, 50,032; Horse Artillery, 1,749; Foot ditto, 12,669; Engineers, 1,854; Military Train, 1,861; Medical staff, 375; total regular forces, 86,422. Embodied Militia, 23,218. Total, 109,640. This officer, who described himself as commanding a regiment, said the Artillery was almost in a disgraceful condition. Now, it appeared from the return to which he had referred, that there were about 14,500 Royal Artillery; and besides these there were 5,000 Militia Artillery, and he had the authority of the Commander-in-Chief for saying that the Artillery Force was in a most efficient state. About 180 guns could be turned out to-morrow, if it were necessary, and there were 110 guns in store; and he repeated what he had said on a former evening, that at no time had the Artillery of this country been in a more effective condition.

THE NAVY ESTIMATES.

MR. WILLIAMS said, that having devoted some time to the consideration of the Navy Estimates he was anxious to offer a few observations on them. They were above those of any year of peace for the last forty years. He would not compare them with those for 1835 or any year about that time; he would take as a comparison those of 1852, the year before we commenced preparations for the Russian war. In 1852 the Navy Estimates amounted to £5,668,000; this year they were £12,862,000, being an increase of £7,200,000. They were told that the increase of the Navy Estimates was owing to the introduction of a new element into naval warfare by the invention of the screw. The screw was introduced in 1851. In 1852 we had five screw line-of-battle ships. France had two for that year. From the close of 1852 the Government of this country and that of France had run a race in building screw-line-of-battle ships. What was the result? It appeared that this country and France were, as regarded line-of-battle ships, at the present time on an equality, each country having twenty-nine: whilst France, as regarded frigates, had eight more. They were informed by the late First Lord and by the present Secretary to the Admiralty that next year this country would have fifty line-of-battle ships, and France only forty; but as she would have four iron-cased vessels, and this country only two, and France would have nine more screw frigates, there would in reality be scarcely any difference. But France had got her screw navy at a much smaller cost than we had. The cost to England of her screw navy was, the last eight years, £86,746,000; while that of France cost only £46,306,000. Last year we expended on our navy £9,962,000, being £800,000 more than had been voted for the purpose. France in the same period expended only £4,607,000. Our estimated expenditure for the navy for this year was £12,862,000, while that of France was only £4,920,000. The hon. Member for Sunderland (Mr. W. S. Lindsay) had stated a fact which would in some degree account for this excessive expenditure. He stated that the Russian Government had ordered some men-of-war to be built by private builders in the Thames, the estimated expenditure on them for wages was £2 12*s.* per ton, whereas the expenditure on wages in one of the Government yards was £8 13*s.* 11*d.* a ton. The most curious feature was the difference between the various yards. In one dockyard the cost in proportion to the work done was double what it was in another. This difference required explanation, as the men received the same rate. If the Estimates were properly examined by a Committee of the House this could not occur. The number of men voted this year was 72,000, whilst the highest number during the Russian war was only 70,000. He did not complain of this increase of the navy. He would repeat what he had often stated, that he had the deepest desire to see the navy placed in a position which would enable the country to meet any hostile combination which could possibly be made against her. But unless some change took place in the administration of the Department that result could never be secured. What he complained of was that the vast amount of public money voted by the House was not applied judiciously, economically, and carefully, to the objects for which it was granted. On referring to the last report of the Audit Commissioners, he found that last year the expenditure exceeded the amount voted by £800,000, and that by a system of transfer the money voted for one purpose was expended on another. Among other strange items he found "Transferred out of the Vote on account of the extraordinary expenses of the Russian war £100,000." "Transferred out of the Vote of £400,000 for the extraordinary expenses, naval and military) of the war in China, £556,000," rather a curious transfer. Now, with regard to manning the navy, the bounty of £10 for able seamen had been now offered for three or four months, but only 1,400 men had joined, although the hon. Member for Sunderland had informed them that owing to the depression in the mercantile marine crowds of these men were wandering about the streets: why did they not enter the navy? The cause, he believed, was to be found in the existence of the degrading system of flogging which existed in the navy. This system was a disgrace to the nation as well as to humanity, for, while in the army a soldier could only be subjected to corporal punishment by the sentence of a court martial, in the navy this punishment might be inflicted at the will of one man. He found that on board one ship, the *Princess Royal*, during the year before last, fifty-three men were flogged, who received 2,141 lashes; while he was proud to say that some ships were mentioned in the return on board which punishments of this nature had been very few, and others in which no flogging had taken place. This difference could not be produced by any difference in the character of the men, but it must be owing to the difference in the character of the captains; some were humane beings, others were heartless tyrants. Such a man as the captain of the *Princess Royal* would not get his ship manned in a lifetime, if his character was known: such were not men of first-rate pluck; humanity and courage always went together. The Admiralty ought to keep their eye upon such officers. From the army returns it appeared in one year 112 men were flogged, and the number of lashes inflicted 5,200; but in the navy in 1854 the number was 1214, and the number of lashes 35,000—of these only 196 were inflicted by sentence of a court martial: in 1855 the number of lashes inflicted was 42,000, of which only 406 were by order of court martial; in 1856 the number was 44,000, of which only 618 were by sentence of a court; in 1857, the last year for which there was a return, the number was 35,800, of which 334 were ordered by courts-martial. He was convinced this was the great impediment to the entry of men; if it were necessary to maintain the system of flogging, let the army rule be introduced, that the punishment can only be inflicted by the sentence of a court-martial. It was stated that the crew of the American frigate *Constitution*, which took the *Java*, the first capture made in the war of 1814, was composed of men who had been in the British navy, and every one of whom had been flogged. He had seen Commodore Stewart, the commander of the *Constitution*, at Philadelphia, and he told him that he had been so informed. To get men for the navy of this country it would be absolutely necessary to alter the system of punishment. He was anxious to see the navy in such a state as would remove the apprehension of even the most nervous person in this country, and therefore would not oppose any of the proposed Votes.

MUTINY OF EUROPEAN TROOPS IN INDIA.

Colonel DUNNE, who had given notice of his intention to call the attention of the House to the mutiny of European troops in the Indian army, and a demand for a bounty upon re-enlistment, said, that he had understood from the Secretary of State for India that it would not be for the interest of the public service that any discussion upon this subject should take place at the present moment, and therefore he was willing to defer the remarks which he had to make upon it.

Sir CHARLES WOOD said, that the House must appreciate the course which the hon. and gallant Gentleman had taken in this matter. The question was in the hands of the Indian Government, in communication with the Commander-in-Chief in India; and he was of opinion that the interest of the public service required that until their decision had been given no opinion should be pronounced upon it in that House.

BOUNTY TO SEAMEN.

Sir CHARLES NAPIER said, he entered the Service in 1800, and served afloat till 1818, and during all that period the bounty was in existence—£5 to able seamen, £3 or £2 10*s.* to others. The bounty, therefore, was no new thing in Her Majesty's service; and having been one of the first to recommend the late First Lord of the Admiralty to offer a bounty of £10 for able seamen entering the navy, expressed his approval of the course pursued by the late Government in that respect, and reminded the House that during the great war a bounty was always offered to pressed men who were willing to enter the navy. He thought it just, generous, and politic, that some bounty should also be given to men who were actually in the ships, but regretted that the Secretary of the Admiralty had not informed the House of the terms upon which it was to be granted. Sailors disliked uncertainty, and it was therefore desirable that such a statement should be made as soon as possible. Even with this bounty they had only got 5,000 men in three months, which proved that the bounty was not even now high enough. He was himself astonished that the men had not entered the navy in greater numbers. Since he moved for the Commission to inquire into the state of the navy something had been done, and when the recommendations of the Commissioners were thoroughly carried out and known in the service the navy would become a great deal more popular. The Secretary for the Admiralty said that we had twenty-six sail of the line ready for sea, fourteen of which, with several frigates, were in the Mediterranean. He hoped the ships in the Mediterranean were fully manned with good seamen, which had not been the case for some time past. The ships of the line at home were not manned, only four of them, with two frigates, being sent out to exercise and acquire a knowledge of discipline. The Government knew that France had thirty sail of the line in commission; and a gentleman who had been at Cronstadt a short time ago on commercial business had informed him, that while there he was in the habit of rowing past eleven Russian screw line-of-battle ships every morning, and that six or seven of them had their sails bent and their top-gallant-yards crossed, while the rest were getting on as expeditiously as possible. He was for having our fleet manned as expeditiously as possible: no one could say what might happen. He had derived great satisfaction from the speeches delivered in "another place" by Lord Lyndhurst, Lord Hardwicke, and Lord Ellenborough, with every word of which he perfectly agreed, and he only wished that they could hear such speeches made in the House of Commons. They knew the marvellous celerity with which the French army had been brought, chiefly by way of Marseilles, into the field in Italy, where the Emperor had gained some of the greatest victories ever achieved, chiefly by the rapidity with which he had forestalled Austria; and if peace were now to be signed between the two Emperors, it was doubtful whether such a result would be advantageous to this country. It would release the French army from the contest in which they had so lately been employed. They well knew the feelings of the French people in this country and their fondness for war; they all suspected the ambition of the Emperor, and no one could tell what might happen in a short period. He should be sorry to say anything to create bad feeling between the two nations, but as a naval officer, knowing what ships and men could do, knowing that the French force used to be much inferior to ours, and hearing that it was now equal, and in some respects even considerably superior to ours, he could not look at such a state of things with a calm heart. He was sure our ships, if well manned and properly disciplined, would be what they were in former days; but he saw with grief that our men did not come forward with the spirit they ought to evince, and put us in a position in which we might defy the whole world. The Secretary to the Admiralty had told them what was the strength of our fleet; but why did he not distinctly let them know what was the strength of the French fleet at present in commission and manned and ready for service, and what likewise was the strength of the Russian fleet in the same condition? There was no use in concealing from this country what the force of those countries was. If there was danger we ought to face it. Great Britain ought to be equal, as regarded her navy, to all other maritime nations together. France in former days was hardly reckoned as a maritime nation at all. Now she was about equal to ourselves. To fall in with a French ship and capture her used to be as certain as the day. When, however, we were able to do that the French navy was not in order. The Revolution drove out of the service all the officers of note and experience, their places being supplied by men unaccustomed to ships of war, and whose knowledge had been gained entirely in the merchant service. That was one of the causes why we then won all our actions so easily. But in the later years of the war, when the French Emperor sent single ships to sea to acquire discipline and efficiency, all the frigate actions were well fought, and we even had three or four drawn battles, which were quite new to us and caused us some surprise. Again, when we went to war with America, we found that our fleet was not in the state in which it ought to have been, and that we had rivals to contend with whose knowledge of seamanship had taught us a lesson which he had hoped would not have been forgotten. He had seen the navy of this country in great danger. During the war in Syria the French had a Mediterranean fleet of twenty ships of the line, while ours never consisted of more than seventeen, and even those insufficiently manned. Again, in the case of Tahiti, this country was in the greatest danger, because at that time we could produce only two sail of the line. During the Russian war we had a splendid fleet, but as soon as hostilities ceased it was paid off, which disgusted the men and rendered them averse to the service. We were now in a quandary again. The late Government were entitled to great credit for their exertions to man the fleet, and he trusted that the House of Commons would never again insist upon reducing the navy, whether in peace or in war. With respect to flogging, he was astonished at the list of punishments which the hon. Member for Lambeth had read that evening, and hoped that it was founded upon some mistake. There was no such thing as severity in the squadrons which he commanded in the Atlantic and the Baltic, and he never saw any necessity for it. He did not mean to say that corporal punishment could be entirely done away with in the navy, but he thought a great change ought to take place in the method of inflicting them, and saw no reason why courts-martial should not be introduced into the fleet. Such an alteration, he was convinced, would not injure discipline, while it would relieve captains of ships from a heavy responsibility. In conclusion the hon. and gallant Admiral repeated what he had formerly stated, that England ought not to be contented with fewer than fifty sail of the line afloat and perfectly manned —a force which, though small enough for her security, would enable her to defy the world.

MR. LINDSAY thought the speech of the hon. and gallant Admiral was calculated to excite unnecessary alarm, which the Report of the Commission appointed by the late Government to inquire into the relative strength of the English and French navies afforded no ground for. He had a copy of their Report which bore date December, 1858, according to which England had 50 sail of the line afloat and building, and France 43 of the same class of vessels built and building; while England had 34 frigates built and building, and France 46. With subsequent additions England would have nearly 65 sail of the line; as 6 ships were now being converted in this country, 10 were building, and besides these we had 9 blockships, all screw, making a total of 65. As regarded ships of the line therefore we were superior to France, though inferior as to frigates. The total number of our steam vessels, comprising all kinds of fighting ships, was 464, whilst France had only 264. The number of our sailing ships of a fighting character was 296, against 136 possessed by France, or more than double. He could not understand what could induce France to engage in war with us, inasmuch as she could gain nothing by it. It would be a ruinous policy on her part for her own interest to attempt anything of the kind. Though it might be somewhat difficult to man our vessels in ordinary times, or to settle some paltry question at the antipodes, in the case of invasion did the hon. and gallant Admiral suppose that the 160,000 or 170,000 seamen in our merchant ships would not rise at once to man our ships? Why, there could be no difficulty whatever in procuring seamen for the purpose. Whilst there was no occasion whatsoever of alarm on the head of war, at the same time he should not wish to see the defences of the country in the state in which they were a few years ago. Even commercially speaking the country suffered seriously by those idle rumours of war. It was, therefore, a false economy not to maintain the navy in an efficient state. He thought that the £10 bounty given in a time of peace was a gross error; and though the bounty now promised might be considered a natural consequence, he considered it as grave a mistake as the original bounty that created it. This half bounty would never satisfy the men, and they would be forced to go a step further, and saddle upon the country an additional burden of £250,000. In his opinion it would be so much money thrown away.

Motion *agreed to.*

SUPPLY.—THE NAVY ESTIMATES.

CONSIDERED IN COMMITTEE.

(In the Committee.)

(1.) £3,000, for additional Clerks.

Lord CLARENCE PAGET said, as the forms of the House prevented him from replying at once to the hon. and gallant Member for Southwark, he now desired to do so in reference to the gallant Gentleman's observations regarding the execution of the Bounty.

Sir JOHN PAKINGTON rose to order. He himself had been called to order by the Speaker at an earlier period of the evening, although he confessed he was not quite clear that he was at the time at all out of order: but the noble Lord was now clearly out of order in raising a discussion upon a subject that was not at all before the Committee. When he (Sir John Pakington) was interrupted he was asking a legitimate question at the right moment of the noble Lord—

The CHAIRMAN said, he thought that the right hon. Baronet was now himself out of order.

Sir JOHN PAKINGTON: With great submission, I am speaking upon a point of order. If the noble Lord raises such a question as he was about to do, I shall have the right of reply.

Lord CLARENCE PAGET said, he merely wished to explain some matters in deference to his hon. and gallant Friend, whom he wished to set right.

Sir CHARLES NAPIER was at a loss to know where the necessity existed for so many additional clerks. If communications were addressed to the principal officers at Somerset House, instead of going through the present roundabout course, a great many clerks might be saved. Many more letters were written now than there was any occasion for. When he was appointed to command the Baltic fleet it took about ten letters to inform him of it.

Sir JOHN PAKINGTON said, he was prepared to defend these Estimates, which were prepared by the late Government. He believed that the short experience of the present Government was sufficient to show them the insufficiency of the present establishment of clerks. Whatever might be the experience of the hon. and gallant Officer opposite as to the manning of the fleet, he (Sir John Pakington) did not think his experience was equally good as to the manning of the Admiralty. The work to be done was enormous, and was still increasing most rapidly. He was afraid that many more clerks would be required.

Mr. LINDSAY objected to the employment of so many clerks. He thought that the business of the country could be much better done by a smaller number of clerks and by paying good men higher salaries.

Mr. BENTINCK also deprecated the system of employing such a number of clerks in those offices. The fact was that we had four or five Boards of Admiralty at work at once. There was in the first instance a First Lord of the Admiralty, who generally on his appointment knew nothing about the navy, and a great deal of time was consumed in his endeavours to learn his business. They had then a number of Lords, who had no confidence in their head nor in each other, and issued their own orders in contradiction to their colleagues. Every sort of practical absurdity was going on from day to day. He did not, however, think that this was a moment for reducing the number of the clerks or of tampering with the Navy Estimates.

Mr. A. SMITH called attention to an item of £8,000 for messengers. He wished to know how those messengers were to be selected.

Admiral WALCOTT asked whether those additional clerks were taken into the Government establishments upon the understanding that when their services were no longer required they would be discharged.

Sir JOHN PAKINGTON reminded the Committee that this Vote comprised not only the clerks in the Admiralty, but those in Somerset House. The whole number was about 300.

Lord CLARENCE PAGET was not prepared to give a precise answer to the question. He believed there would be a redistribution of clerks.

Mr. CORRY said, those additional clerks were merely employed as temporary clerks.

Mr. JACKSON thought that a great portion of the expenditure under this Vote arose from want of concentration in the offices.

Vote *agreed to.*

(2.) £100,000, Volunteer Force.

Mr. LINDSAY said, that he would not enter into the question of volunteers, because the Secretary to the Admiralty had promised to introduce a Bill before this sum was expended, which would enable the House to discuss fully the important question of the manning of the navy. He wished to know when the Secretary to the Admiralty would introduce that Bill?

Lord CLARENCE PAGET was anxious to introduce it as soon as the subject had been discussed at the Admiralty.

Mr. HENLEY hoped when the Bill came before the House they would have the whole question of the bounty discussed, as it bore most materially upon the new scheme for creating a reserve for the navy.

Lord CLARENCE PAGET said, the House would have an opportunity of discussing the bounty before that time, inasmuch as it would be raised in the shape of a simple estimate.

Sir JAMES ELPHINSTONE said, when they discussed the question of bounty they ought to remember the improvements that had recently been made in the condition of seamen.

Sir JOHN PAKINGTON thought the Committee ought clearly to understand that the only question that remained to be discussed was the recent extension of bounty by the present Government to seamen previously serving in the fleet. The Committee had nothing to do with the item for the bounty granted by the late Government, for that item had been already voted. That bounty, which he should be prepared at any time to defend, had been very successful.

Mr. HENLEY said, he intended not to express any opinion at present, but merely to reserve his right to do so upon the question of how far the bounty already given, and that proposed to be given, would prove a successful plan of forming a reserve for the navy.

Sir JAMES ELPHINSTONE intimated his intention to move, when the question came under consideration, that no bounty be paid to any men serving in any of Her Majesty's ships until the whole of the recommendations of the Commission for Manning the Navy had been carried out.

Sir CHARLES NAPIER said, the only reserve we had at present consisted of the coast volunteers and the coastguard. The coastguard were composed of seamen who had served a certain number of years in the navy and who were enjoying a sort of retirement, subject to be called into active service in the event of an emergency. In that retirement they naturally acquired shore habits, to some extent adverse to their efficiency. The coast volunteers were mixed up with them in the vote under consideration. Those coast volunteers, if properly managed, would be a very efficient body of men at some future day; but they did not constitute such a reserve force as the country ought to have. The coastguard and the coast volunteers could only be regarded as the sea militia of the country, and for many reasons it was not possible with the same ease to bring them into equal efficiency with the militia force of the army. He had invariably set his face against having a reserve to man twelve sail of the line, without having twelve sail of the line to put them into. We ought to have ships ready for sea at each of the ports, and the coastguard men and coast volunteers ought to be encouraged to go on board them as much as possible. He would give them a dinner on Sundays after service, to which they might bring their wives, which would be a great inducement to them to go on board. He thought, too, that there ought to be an efficient gunboat attached to each of these ships. He reminded the Committee that during the last war we had a capital corps of Sea Fencibles, who were a very formidable body on the coast. It was an extraordinary thing, that in this great naval country the Admiralty had never had a registry of every seafaring man. He recommended that such a registry should be kept, and that recourse should be had to the system of Sea Fencibles.

Admiral WALCOTT regretted that the whole tenor of the discussion, instead of allaying the feverish agitation of the public mind should tend to excite it. Time we had to mature our preparations antecedent to the pressure of an emergency, and he trusted that the capacity of our resistance to an enemy might soon cease to be matter of debate: he had no fear that England would not be found ready in the event of an attempted invasion, although he did not think invasion at all probable. When they were told that by April 1860, they would have no less a number than sixty of the finest and largest screw line-of-battle ships, and already had thirty efficiently manned or in progress of being so, he asked hon. Members what cause was there for apprehension. With from 160,000 to 180,000 seamen and lads in the Mercantile Marine, it was clear they could send these sixty sail of the line to sea, in the course of two or three months, because there would be no employment for them in commerce, other than in confined extent; and they might rely upon it there was not one of the 160,000, who would not respond to the exigencies of the service in the event of war. If thirty sail of the line were efficiently manned it would be easy to man thirty more by putting one half new hands and one half trained hands in the ships, and there would then be a fleet equal to any emergency. He deprecated observations which led the country to believe that the service was sadly inefficient and could not be made efficient at a short notice. On board the *Arethusa*, in the late war of forty years since, which was called "the saucy *Arethusa*," they had a song, (it was composed by Dibdin) which said :—

> "They swear they'll invade us, these terrible foes,
> To frighten our children, our women, our beaux,
> But if e'er their flat bottoms in darkness get o'er,
> They Britons shall find to receive them on shore."

The gallant Admiral (Sir Charles Napier) had shown himself a most meritorious officer throughout his whole career, and the House was justified in listening to his observations with respect, but he thought that a feeling had of late animated the gallant Admiral which he could not comprehend. The gallant Admiral must know that they had most splendid ships, and that the navy of England would preserve the same eminence and glory which had in past times been won. He admitted that ships were useless unless manned by efficient officers, and it was therefore their primary duty to encourage the officers and deal honourably and fairly with the seamen, as the Manning Committee proposed, in increased advantages of many kinds. He wished to revert before he sat down to a statement made by the hon. Member for Lambeth respecting punishments in the service, as he should be sorry if that speech appeared in *The Times* to-morrow without an answer.

THE CHAIRMAN interposed, and said the hon. and gallant Member was out of order.

ADMIRAL WALCOTT said, he would take another opportunity.

SIR CHARLES NAPIER: Good God, Sir! Does the gallant Admiral suppose that these 160,000 men are in the Thames, or at Bristol, or Liverpool? They are scattered all over the world.

ADMIRAL WALCOTT: But you could get 50,000.

SIR CHARLES NAPIER: If there were a certainty of invasion to-morrow could he get 20,000.

ADMIRAL WALCOTT: I would lay my life I could.

SIR CHARLES NAPIER: The merchant service is not so well manned as is supposed. There are foreigners in it and men not fit for a man-of-war. Does the gallant Admiral mean to tell me that the moment a man is put on board a ship he would be fit to fight?

ADMIRAL WALCOTT: Yes he would.

SIR CHARLES NAPIER: I fought an action not long ago and half the crews were undisciplined men, and I saw that those men did not do their duty. I tell the gallant Admiral that if he wants men and sailors to fight and defend these ships they must be regularly disciplined and well-trained. All the gallantry and courage and determination to fight to their very stumps will not enable undisciplined men to meet disciplined men, any more than an undisciplined army can meet a disciplined army.

ADMIRAL WALCOTT: I do not want them all efficient; I calculate there would be 30,000 men versed in gunnery, and I should only want men to work the guns and use the ropes of the ship.

MR. LINDSAY said, it was presumed that one-third of the seamen in the merchant service were always in this country. In such a dreadful emergency as invasion there would be no difficulty whatever in finding sufficient men at a moment's notice to man the fleet. With regard to the Vote before the Committee, he wished the noble Lord would fix a day when the important question of manning the navy could be fully discussed.

SIR CHARLES NAPIER said, he doubted that men would be found in an emergency so readily as was presumed by the hon. Member for Sunderland. In the Russian war seamen in the merchant service did not come forward in any numbers. From October, 1853, to December, 1854, only 153, and in the year 1855 only 258 men entered. He had been abused for speaking the truth, but he would maintain that there never was a British fleet sent to sea so infamously manned as the fleet he commanded in the Baltic. There were men in it who had never been aloft in their lives. He gave the word to anchor in a not very heavy gale of wind and the sails were not furled until four in the morning. If it had come on to blow they would not have been furled at all. He hoped the Admiralty, in case of another war, would not man the navy as they manned his fleet, with all the tinkers, tailors, butcher-boys, and cabmen they could pick up out of the streets of London. He was accused of alarming the country. He admitted that he wanted to alarm the country. Let the Admiralty give their Admirals men to command, and not men they were ashamed of.

Vote *agreed to;* as were also—

(3.) £41,358, Scientific Departments.

(4.) £103,089, Naval Establishments at Home.

(5.) £20,083, Naval Establishments Abroad.

(6.) £1,077,782, Wages to Artificers, Labourers, and others, Naval Establishments at Home.

Mr. LINDSAY said, he believed that the Committee on Dockyard Expenditure had completed their Report, in which, with one exception they had been unanimous. He wished to ask the noble Lord when that Report would be presented to the House, and what was the reason it had not been laid upon the table as soon as it had been made to the Admiralty. He believed it had been signed and sent in some time ago.

Lord CLARENCE PAGET said, he was as anxious to lay this Report upon the table as the hon. Member could be to see it. True it was the Report was given in, but it was not yet printed, or, to speak more accurately, it was not yet corrected. It was usual to give these Reports to the Members of the Committees in order that they might make the necessary corrections. This process was not yet completed, but when the Report was so corrected it would be brought to the Admiralty. His impression was that the Board of Admiralty would consider it fair to allow the heads of some of the principal departments who might be desirous to make some remarks upon the Report to do so. He believed that the Surveyor of the Navy and one or two other officers of departments wished to offer some observations on some of the details of that Report. The same thing was done on the report upon steam engines, when the right hon. Gentleman (Sir John Pakington) gave an opportunity to the heads of departments to add some observations to the Report. As soon as these reports were made the Report of the Dockyard Commission would be laid upon the table.

Mr. LINDSAY was afraid it would be the object of certain parties to keep this Report back as long as possible, so that the House might not have it this Session. He trusted the noble Lord would see that there was no unnecessary delay in presenting the Report. It was very desirable the House should see it at once.

Sir Charles Napier

Sir JOHN PAKINGTON wished to have some explanation relative to the increase of £100,000 on this Vote over the Estimate of the late Government. He announced that the late Government determined to add from 1,300 to 1,400 shipwrights to the Royal dockyards, and they took a sufficient grant of money to employ them for six months—namely, until next October. That was done upon the recommendation of the Surveyor of the Navy, who thought in the month of May that if these additional hands were employed for six months all the paddlewheel frigates might be repaired, and the steam reserve might be brought into that state in which the vessels might be put into commission. In addition to these repairs he had hoped that by adding these 1,300 men to the dockyards they would be able to convert two more line-of-battle ships, making 17 line-of-battle ships, instead of the 15 he had promised. He trusted that in deciding to double the Vote for these men the Government had consulted the Surveyor of the Navy. He hoped, also, that the noble Lord had himself looked into the matter, and had satisfied himself that the public service required the additional outlay. It was well to be on the safe side, and if the matter were even doubtful he would not oppose the grant.

Lord CLARENCE PAGET thought there must have been a misunderstanding between the right hon. Baronet and the Surveyor of the Navy on this point. The explanation given by the Surveyor of the Navy—and he was sure he would not state what he did not believe—was, that when the right hon. Baronet proposed an increase in the dockyards, and in the beginning of May last asked him what number of men should be taken on in order to carry out certain works, he did not contemplate that these men would be discharged at the end of six months. There might have been a misunderstanding, but the Surveyor of the Navy stated that from the first moment the subject was mentioned to him he thought it was absolutely necessary that the men should be taken on until the end of the financial year. He hoped the right hon. Baronet would think that the Admiralty had looked narrowly into the matter before they proposed the Vote.

Mr. CORRY said, his recollection was that the Surveyor was asked what number of men would be necessary to complete certain works in six months, and his answer was given in reference to that question. He was glad, however, that these men were to be kept on, for he thought no exertions should be spared to place the navy in a state of efficiency. There was, however, considerable difficulty in procuring the necessary timber, and he regretted that this want of timber imposed a limit to the efforts which could be made in the yards. At the commencement of the year there were 70,000 loads in store; while the quantity which it was estimated would be used was 60,000, instead of 35,000 loads in the previous year. After drawing upon every market in the world, all the supply they could look for was 53,000 loads; so that the shipwrights whom the late Admiralty proposed to enter for the year would have used 7,000 more loads of timber than could be obtained for the supply of the dockyards. He wished to know how this difficulty was to be met?

SIR JAMES ELPHINSTONE said, this was a very serious question. Having had something to do with the supply of timber for Indian railways, he knew there was very great difficulty in obtaining timber for any purpose where scantling was required; and he would recommend that some of the unemployed artificers in the navy should be sent to the different ports on the African and Australian coasts, where vast and unexplored forests existed, for the purpose of procuring a supply. Every year the quantity of suitable timber was becoming less and less, and the subject was one which the Admiralty would do well to grapple with at once.

COLONEL SYKES said, that although with all the predilections of an old soldier, he looked upon the navy as the natural defence of this country, and was willing to contribute what was necessary towards rendering it equal, not to the navy of one Power alone, but of all other Powers combined. He thought, however, that the results ought to be commensurate with the means employed—that was, to the money voted by the House—but when he looked at the enormous sums of money expended in our dockyards this did not seem to be the case. Since 1835 the Estimates had increased 200 per cent, having risen from £4,200,000 to £12,600,000 in the present year, and it might therefore be supposed that since that time we had three times the number of ships and of men. Nothing of the sort. Last year in the dockyards 10,850 workmen were employed, and among them 4,000 shipwrights. The noble Lord had stated that 1,000 shipwrights could build eight ships of 1,000 tons per annum; and according to this calculation, therefore, thirty-two such ships should have been built; whereas only 19,159 tons of shipping had really been built, the cost of which he calculated to be £50 9*s.* per ton, supposing all the men to be employed on new work. Allowing, however, that three-fourths of the men had been employed in repairs, the vessels turned out would still have cost £12 7*s.* 3*d.* per ton. Now, the hon. Member (Mr. Lindsay) had pointed out that ships built in private yards cost only £2 10*s.* or £2 15*s.* per ton, and if such magnificent vessels as those of Mr. Green, who had a navy of his own, could be constructed at this rate, there must surely be something lamentably wrong in our dockyard expenditure. The noble Lord thought we should next year produce 46,284 tons of shipping, but even that amount of tonnage, according to the increased Estimates, would cost £33 a ton, or, with only one fourth of the hands in the yards employed on building, about £8 5*s.* per ton—an expenditure infinitely greater than that incurred in the most extravagant private yards. Under these circumstances, he could not but congratulate the country upon the thorough reform in our dockyards which had been promised by the noble Lord. With regard to gunboats, he would ask the noble Lord whether his attention had been called to a letter written by Mr. Laird, of Liverpool, who suggested that there were in the Mersey many steamboats adapted to carry a heavy gun, and that by a small annual allowance and an arrangement with the owners these boats might be made available for gunboats. This seemed a valuable suggestion, and the same rule would apply to all the large rivers in the kingdom, so that means of defence could thus be afforded without the enormous outlay which would otherwise be necessary. He would suggest also that in each dockyard there should be a scientific head to direct operations. No doubt the master shipwright was a man of practical experience and good sense, but what was wanted was a man of sound mathematical knowledge, acquainted with the dynamics of shipbuilding, and grievous errors, opposed to acknowledged principles, might thus be avoided.

In reply to Mr. WILLIAMS,

SIR JOHN PAKINGTON said, the dockyard battalions had been abolished by the Government which succeeded the first

Administration of Lord Derby, and, in his opinion, very properly, inasmuch as the full services of the men were required as shipwrights.

SIR JAMES ELPHINSTONE called the attention of the Secretary of the Admiralty to the case of the seamen riggers, who, he said, had very hazardous and important duties to perform, while the wages of each were not more than 19*s.* 6*d.* per week. That amount of remuneration he regarded as inadequate, especially when compared with that which other naval artificers received, and he therefore trusted the Government would take the expediency of increasing the pay of those men into their consideration.

ADMIRAL WALCOTT concurred in the testimony given by the hon. Member for Portsmouth in behalf of the Seamen Riggers and pronounced them to be a most valuable and meritorious class of men, and he ventured the recommendation to the Secretary of the Admiralty that the Board would take their Memorial into consideration.

After a few words from Mr. W. MARTIN,

Vote *agreed to;* also,

(7.) £39,330, Wages to Artificers, Labourers, and others, Naval Establishments Abroad.

(8.) £2,117,130, Naval Stores.

MR. LINDSAY took occasion to quote from a published paper facts to the effect that the Admiralty anchors had been manufactured by the same firm since 1841; that the price paid by them for those which weighed fifteen tons was at the rate of £44 10*s.* per ton, and for those which weighed five tons at the rate of £73 per ton, while the market price of anchors manufactured by the most eminent firms was £20 10*s.* per ton for anchors of twenty tons, and £30 per ton for anchors of five tons weight. Now he should like to learn from his noble Friend the Secretary to the Admiralty whether those statements were correct, and if so, why such a state of things was permitted to exist? – Why should £73 be paid for what could be obtained for £30 from most eminent makers? He also wanted to know why no notice had been taken of the report of the Commission appointed seven years ago to inquire into the best description of anchor. They reported that of all the anchors submitted to them the Admiralty anchor was the worst. Mr. Trotman offered to submit his anchors, weighing 50 cwt., costing £90, to be tested against anchors of five tons, the contract value of which was £365. Then, again, in the Supplementary Vote there was an estimate for steam engines, the charge for which was increasing and therefore an important item. Up to a recent period the manufacture of Government engines had been confined to one or two firms, while there were other firms equally eminent willing to make them. He did not advocate an indiscriminate acceptance of terms; but there were great establishments whose offers ought to be entertained. He wished to know whether the door had been opened at all, so as to permit other firms to tender, and, if so, to what extent?

MR. RIDLEY drew attention to the Report of a Committee appointed to investigate the subject of steam coals for the Royal navy. Last year, according to instructions issued by the Admiralty, investigations were made as to Welsh and north country coals. The results were various, and Mr. Taplin, of Woolwich, was requested to draw up a new report on the subject. He reported, recommending the Government to undertake further experiments independent of all private parties; and he (Mr. Ridley) asked whether the Board of Admiralty had acted on the recommendation. The French Government had lately been buying coals largely in this country. He understood that they purchased any coals on the Admiralty list; and it was neccessary that that list should be drawn up with the greatest possible accuracy. Another important subject of investigation was the consumption of smoke, which many experiments had shown to be possible, and which had a great bearing upon the relative value of different coals.

LORD LOVAINE remarked that the consumption of smoke could be carried out so as to effect a considerable saving in the quantity of coals, and consequently in the expense. Attention, then, ought to be paid to the subject. Another matter to which he wished to draw the attention of the Admiralty was the system of superheating steam, which promised enormous saving. Attention was also required as to the best means of coaling vessels in the navy. And on this and other analogous points it would be well for the present to follow the example of the late Board of Admiralty in entrusting the examination of different points of doubt to a scientific Board.

MR. BENTINCK said, that the question raised with regard to anchors was one of great importance. It was not a question of one person's anchor over another's; but as regarded the best description being obtained for the navy. A Committee had reported in 1852 in favour of six different kinds of anchors, all superior to those used by the Admiralty—why had no notice been taken of the report of that Committee? why had it not been acted on? They were now told of a person who offered to produce anchors as efficient as the Admiralty anchors at one-third the cost, and weighing half the weight; why had he not been allowed a trial, in order to prove whether his assertions were correct or not? Still he thought it was not right to press the noble Lord on a point which concerned all the Boards of Admiralty for the last seven years. He would invite the right hon. Gentlemen the Members for Droitwich, Carlisle, Halifax, and Portsmouth, who had held office in that time, to give a distinct answer to the question why the Report of the Committee had been disregarded, and why Mr. Trotman's anchors had not been at least tried in the navy.

SIR CHARLES NAPIER said, there were perfect forests of anchors lying in all the dockyards, and the amount of capital wasted in them was perfectly incredible. It would be well to know by whose orders these anchors were constantly accumulating in every port. He also directed attention to the boats lying in Portsmouth dockyard, which in some tides were wet and in others dry. Why were these boats left to rot? He hoped that some steps would be adopted to take these boats a little higher up out of the water. There was an item for building gunboats by contract. He believed there was a great mistake in all the gunboats built. It was not chiefly gunboats that were wanted for service in the Baltic, but mortar vessels which would throw shells. The only use of gunboats was to protect the mortar vessels. Whether Armstrong's guns were superior to mortars he could not tell; but he had had experience of mortars at the siege of Martinique. Mortars were collected from every island in the West Indies, and the tremendous fort there was captured by mortars and mortars alone. Had there been mortars in the Baltic during the late war, not only Sweaborg but Cronstadt would have been annihilated. If there was war with France it would be with mortars, not with gunboats, that they would attack Cherbourg. Before the report of these Estimates passed he would insist on being told the history of these anchors; also on receiving an account of the condition of our gunboats, and how many of them could be launched at the present moment.

SIR JOHN PAKINGTON could only answer for himself as to what had occurred regarding Trotman's anchors when he was at the Admiralty. He, of course, knew nothing of the quality of these anchors from his own personal knowledge, but on consulting practical naval officers the reply he received was that they did not in their experience find them to answer. He was told that Trotman's anchor, when once it could be got to hold, was a good one, but that officers could not rely on its taking hold. Now, of course, if it did not hold, the most valuable quality of an anchor was wanting. His hon. Friend (Mr. Bentinck) asked why they had not given Trotman's anchor a fair trial. In reply, he might state that one of his last acts before leaving the Board of Admiralty was to issue directions for giving the anchor a further trial. With regard to the hon. and gallant Admiral's question about the gunboats which they proposed to build, he had to state that it was proposed to build eighteen, which would be of a much larger size than the ordinary gunboats, that the latter could only carry their guns along the coast, whereas these new boats would be able to carry their guns all over the world.

MR. H. A. BRUCE contended that the system adopted by the Admiralty for procuring coal led to their receiving not the best, but a very inferior description of coal. The mode was this,—there was a list of a great many different kinds of coal made out, those varying in price to the extent of 25 per cent. The Admiralty issued an offer to receive tenders for a supply of coal, and the persons who made the tender were free to supply the Admiralty with any of these kinds of coal. The tender was made, and the Admiralty almost invariably got the worst of the coal. He spoke from his own knowledge when he said that the owners of the best coal never thought of tendering to the Admiralty. The large steamboat companies obtained the best article, and the owners who supplied them with coal never supplied the Admiralty. He would suggest that the Admiralty should either reduce the list and strike off the inferior quality of coal, or that they should send agents to the coal districts to inquire into the nature of the coal, with the view of getting the very best article, as the Peninsular and Oriental and other large companies did.

Mr. BENTINCK said, he had on a former occasion asked the right hon. Member for Droitwich (Sir John Pakington) why the Report of the Committee of 1852 had not been adopted, and the answer was that the report of a body of naval officers was at variance with the Report of the Committee, and was unfavourable to Trotman's anchors. Now, great injustice would be done to Mr. Trotman if such a statement remained uncorrected, and he therefore felt it right to say that there had been no report unfavourable to Trotman's anchors from any officer in Her Majesty's service. His noble Friend the Secretary to the Admiralty (Lord Clarence Paget) shook his head, but the Report applied to Porter's, and not to Trotman's anchors. He had perused all the reports which had been presented to the Admiralty up to this time last year, and he could state that none of them were unfavourable to Mr. Trotman. He still wished that some better information were afforded to the House as to why the Report of 1852 had not been acted upon, and why Mr. Trotman was refused the trial for which he asked. With regard to the new gunboats, he hoped they would be perfectly efficient craft, and that they would not come within the grasp of the right hon. Member for Halifax (Sir Charles Wood), whose mode of dealing with vessels of that class did not seem, from the discussions which took place last year, to have been attended with very fortunate results.

Mr. CLAY was glad that the Admiralty were disposed to give Trotman's anchors a further trial, but this was a question between the Admiralty anchor and the six other descriptions of anchors, and he thought the House ought to know whether the same defect which was attributed to Trotman's anchor was attributed to all the others.

Admiral WALCOTT hoped the attention of the Government would be directed to the number of vessels of war in ordinary at Hamoaze, in the Medway, and at Portsmouth, which were decreasing in value day by day, and which it would require great expenditure to render serviceable.

Lord CLARENCE PAGET feared that he could not give a very satisfactory answer to some of the questions which had been put to him. The subject of anchors was one with which the Admiralty had great difficulty in dealing. He professed to be a naval reformer, and he was for reform in every case in which it was consistent with efficiency; but wherever the best anchor could be obtained he would never be disposed to object to its cost if it were really serviceable. There was, however, the greatest difference of opinion among naval men with respect to anchors, and if they saw fifteen or sixteen ships of war in a line the probability was that as many different descriptions of anchors would be used. Captains of ships of war were allowed great latitude in the choice of anchors, and there were various and very opposite opinions with regard to the merits of Trotman's anchors. He could not say that he approved them himself, but he was ready to promise that Mr. Trotman, as well as other inventors, should have fair play. He had been asked whether there was to be any alteration in the navy contracts for coals used for steam engines ashore or afloat. At the present moment the subject was undergoing a thorough investigation at Woolwich. If the question were merely whether, as a matter of simple economy, north country coal or Welsh coal should be used, it would admit of easy adjustment; but a great number of collateral questions were involved. Experiments were in progress with regard to the super-heating of steam and the consumption of smoke, but it was of course desirable that these objects should be accomplished with the utmost possible economy. One third of the supply of coal for the navy, which was chiefly consumed at Sheerness and Woolwich, was obtained from the north, while the remaining two-thirds were obtained from Wales, and were used principally at Devonport and on the southern coast; but if it should be found that north country coal was equally serviceable it would, no doubt, be used in a much larger proportion. The hon. Gentleman took an extreme view of the cost of navy engines over those used by private firms. It was true that the engines for men-of-war cost more than those for merchant ships, but there were a variety of reasons for this with which he need not trouble the Committee, and a Select Committee which sat upon this subject reported that there was no reason for supposing that the Government had paid a higher price for engines and boilers than private individuals.

Mr. CORRY said, that Trotman's and

Porter's anchors were identical in principle; and as a proof of the efficacy of the Admiralty anchor, reminded the Committee of what occurred at Balaklava, where, when the *Prince* went down and twenty-two merchant vessels were lost, not one of the vessels of war went ashore.

MR. BENTINCK regretted that the hon. Gentleman, like his right hon. Friend the Member for Droitwich, had fallen into the mistake of confounding Trotman's with Porter's anchor as being the same in principle. Mr. Trotman himself protested against it as an injustice, for it was not the same in principle, and it was admitted by the Admiralty to be 35 per cent better in the efficacy of its hold.

SIR JAMES ELPHINSTONE expressed his approval of the gunboats which had been built by contract. Some time ago he visited Haslar, where he found the greater part of the old gunboats under repair, and he exhibited some fragments from their bottoms, which showed the injury they had sustained from being alternately wet and dry. Their launching depended upon the longest and finest screw of the sort which had ever been constructed, and if anything happened to it they could not be got to sea. He had been of the same opinion as the hon. Member for Sunderland with regard to the cost of machinery for the navy, until he read the Report of the Committee on marine engines and boilers. The hon. Gentleman read a copious extract from the Report of the Committee, showing that the mistakes which had in former times been committed with respect to naval machinery had been discovered and remedied.

Vote *agreed to.*

(9.) Motion made, and Question proposed,—

> "That a sum, not exceeding £467,411, be granted to Her Majesty, to complete the sum necessary to defray the charge of New Works, Improvements, and Repairs, in the Naval Establishments, which will come in course of payment during the year ending on the 31st day of March, 1860."

MR. KINNAIRD called attention to an item of £50,000 for the purchase of a site for coal stores at the head of the great harbour at Malta. In 1858 a sum of £23,000 was proposed by the right hon. Baronet the Member for Halifax (Sir Charles Wood) for the purchase of this very property, having fifteen or sixteen tenements upon it, and that amount was then regarded as a very liberal estimate of its value. The exorbitant feature was certain stores erected by a person named Casolani, Bishop of Mauricastro, and son of the late collector of land revenue. These were estimated at £15,000. The last valuer, who was official, estimated them at £25,841, adding £5,168 for *jus luendi.* Casolani came to England on the business, and made a very modest demand of £123,000, which the right hon. Member for Droitwich (Sir J. Pakington) afterwards cut down to £50,000. Mr. Victor Houlton being called in to fix a price, instead of the naval authorities, named £60,000 for Casolani. If a Committee of Inquiry into this matter were granted, it would be proved that this was one of the most monstrous extortions ever practised upon a credulous Government. The charge in the present Estimate was double the amount fixed upon in 1858. Correspondence that he (Mr. Kinnaird) had had on the subject with persons resident at Malta, convinced him that the country had been imposed upon in this business to the extent of £25,000. He would ask, was there not, among the archives of the Admiralty, a protest against these exactions on the part of the naval authorities of the island? and he would appeal to the noble Lord, as a naval reformer, whether the interests of this country had been sufficiently watched when so monstrous a price had been given for this property. It was by transactions of this kind that the Estimates were inordinately swelled. He wished also to ask, whether there was not some talk of an expenditure of £200,000 for enlarging the port of Valetta, to meet the wants of the Royal Navy, and at the same time to enlarge the commercial port: but in which it is to be feared an inordinate demand will be made on the Imperial exchequer, unless the expenditure is fixed and limited in the same manner as the island proportion has been fixed by the Council of Government of Malta. This was a point of great importance: or the consequence would be that instead of £100,000 the Government would find themselves committed to meet an expenditure of three to four hundred thousand pounds. He must caution the noble Lord against sanctioning any such charge upon the Imperial resources. Objecting so strongly as he did to the item to which he had referred, he had no alternative but now to move the omission from the Vote of the sum of £50,000 for the purchase of this property at Malta. The House should distinctly understand that the original vote taken by Sir Charles Wood was for this property inclusive, with some fifteen or sixteen tenements attached to it. Now £50,000 was about to be paid for one of these tenements only, whose real ascertained cost was £15,000 only.

Whereupon Motion made, and Question proposed,—

"That the item of £50,000 for the purchase of property on the Great Harbour at Malta be omitted from the proposed Vote."

SIR JOHN PAKINGTON wished, as far as he was concerned, to deal with this question with perfect frankness. He could now only repeat what he told the House in the month of March, when he had to move a Supplementary Estimate, that it was quite an accidental circumstance that this item came before Parliament in the Estimates for the present year. The House ought to understand, especially after the Amendment moved by his hon. Friend, that this was only a re-vote. He had never been at Malta, and therefore was not acquainted with the land in question; but the decided opinion of all the naval officers with whom he had communication, including Sir Richard Dundas, now the senior Lord of the Admiralty, was, that it was absolutely necessary for the public service that it should be in the hands of the Government. The House could not make a greater mistake than to repudiate the bargain. In the Estimates of 1858, framed by the right hon. Gentleman opposite (Sir C. Wood), there was a Vote of £23,000 for the purchase of the land; but that was a purely conjectural Estimate, for the Government valuator at Malta valued the property at £31,000, while the owner thought it was worth £120,000. Subsequently, however, he agreed to split the difference, and take £76,000 for the land, which the Colonial Secretary at Malta valued at £60,000. Under these circumstances the late Government offered £50,000, and as the proprietor was willing to accept that sum, the Admiralty should be authorized to complete the bargain at once.

MR. WHITBREAD, seeing that the land was necessary for public purposes, and that the good faith of the House was pledged to some extent, hoped the Vote would be agreed to.

MR. KINNAIRD congratulated the hon. Gentleman on so quickly assuming the Government tone in defending a job. The fact was Signor Casolani paid only £15,000 for this land, for which £50,000 had been offered by the Government. This reminded him of the English chapel in Paris, which Lord Cowley agreed to buy, but the House of Commons repudiated the bargain, and the country was thereby rid of a burden. Was it not the fact that the Admiralty authorities at Malta had protested against this purchase?

LORD CLARENCE PAGET said, he could not tell all the original details of this affair. He himself knew Malta well; he could say this land would be very useful, but he did also think that they were to pay a great deal too much for it. He was afraid, however, that if Government did not buy it, there would be no subscription to buy it, as in the case of the chapel alluded to. Moreover, the good faith of the country was pledged to the purchase.

SIR CHARLES WOOD said, it was exceedingly desirable that the land should be purchased. It was very important to have the harbour of Malta placed in the best possible military state.

SIR STAFFORD NORTHCOTE said, that Parliament had assented to the purchase of land at Malta at a price of £50,000, and to repudiate the Vote now would be to present the sight of one Parliament undoing the act of another.

MR. MAGUIRE complained, that of £11,000,000 voted for the Navy Estimates a trifle only was spent in Ireland, in violation of repeated pledges from various Governments that Ireland should have a fair share in the public expenditure. The hon. and learned Member proceeded to call the attention of the Government to the capabilities of Cork Harbour.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

Motion made, and Question, "That the Chairman do report progress," (*Mr. Hadfield*) put and *negatived*.

(10.) £45,000, Medicines, and Medical Stores.

(11.) 52,221, Naval Miscellaneous Services.

Motion made, and Question, "That the Chairman do report progress, and ask leave to sit again," (*Mr. Lindsay*) put, and *negatived*.

Vote *agreed to*.

Motion made, and Question proposed,—

"That a sum, not exceeding £368,311, be granted to Her Majesty, to complete the sum necessary to defray the Charge of Half-pay and Retirement to Officers of the Navy and Royal Marines, which will come in course of payment during the year ending on the 31st day of March, 1860."

Sir CHARLES NAPIER complained of a plan, which he said had been drawn up by the late First Lord of the Admiralty, but without the approval of the other Lords, for disposing of old naval officers.

Sir JOHN PAKINGTON said, the question alluded to by the hon. and gallant Admiral was one of the most difficult questions connected with the whole interests of the naval service, and he suggested that that was not an hour (twenty minutes past twelve) at which the Committee should enter upon its discussion. He entirely protested against the plan alluded to being discussed in the House of Commons. It was perfectly true that he did prepare a plan which, if he had remained in office, he should certainly have endeavoured to carry into effect. But that plan was not shown to any one except in confidence, and it was never finally adopted or promulgated. He therefore must protest against the right of the gallant Admiral to come down to the House of Commons and pretend to give a description of what he had no right to know anything.

Sir CHARLES NAPIER: The plan was not communicated to me in confidence. It was mentioned to several officers by the right hon. Gentleman himself, who gave the plan to them, and I think that as it was shown to me, and my opinion was asked upon it, and my name signed to a petition to the Queen against its adoption, I was at perfect liberty to mention it in this House. I tell the right hon. Baronet that I do not believe he could have put that plan in force. It was entirely objected to by his own Board.

Sir JOHN PAKINGTON: The hon. and gallant Admiral has taken a most irregular and disorderly course. His last statement is not correct. The whole of the Board of Admiralty were not opposed to that plan; but I deny the right of the hon. and gallant Admiral to bring on a discussion in this House of a paper that was never finally adopted. I never did show that plan to any one except in confidence. I do not deny that some one may have given him a copy of it; but I tell him, that inasmuch as it bore the word "confidential" at the head of it, he had no right to make a public use of it. I could give no better proof of the unfairness, injustice, and impropriety of his making a public use of it than by telling him that one of the last things I did before leaving the Admiralty was to draw up a modification of that paper.

Sir CHARLES NAPIER: I beg to deny that it was a confidential paper. It was no such thing. It was shown to the whole of the Admirals resident in London, who signed a petition to Her Majesty against it. Now, if that can be called a confidential paper I do not know what confidential papers are. The civil Lord of the Admiralty, I believe, said very little about the plan. I believe the Dovor Lord did not make any great objection to it; but all the old sailors who were on the Board did object to it.

Mr. LINDSAY: I was one of the number that received this document. It was printed, and had not been revised. It was marked in the corner of it "Confidential." Seeing it thus marked I certainly would never think of naming its contents out of this House, much less in this House. It was with the view of that plan being fully discussed on a future evening, at a more suitable hour, that I moved that the Chairman should report progress.

Sir CHARLES NAPIER: My hon. Friend may have supposed that this was a confidential paper, but I put it to the House whether a paper that has been shown to all the old Admirals residing in London, and with respect to which a petition to the Queen has been signed, can be called a confidential paper or not.

Motion, by leave, *withdrawn.*

Resolution to be reported *this day* (Tuesday): Committee to sit again on *Wednesday.*

POOR LAW BOARD (PAYMENT OF DEBTS) BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed "That the Bill be now read a second time."

Mr. GILPIN, in moving the second reading of the Bill, said the Bill had been introduced to correct a difficulty which had been introduced to correct a difficulty which had arisen in consequence of a decision by the Court of Exchequer Chamber, and to enable the Board of Guardians of the City of London Union to clear themselves from debts which they had properly and rightfully incurred.

Mr. WALTER said, that although that portion of the Bill which required the settlement of debts by Boards of Guardians within twelve months might be unobjectionable, the second clause was of a different character, as it had a purely retrospective action and enabled the guardians to pay any debts incurred within six years previously. The House would recollect that in the month of March a similar Bill was introduced in order to enable the Board of Guardians of the City of London Union to collect rates for the payment of accumulated arrears of six years throughout that union. The House came to a right conclusion, and rejected the Bill by a considerable majority. He considered this was an attempt to smuggle through the House the very objectionable project which was defeated upon that occasion. It was almost too late an hour to enter into a discussion, but unless the Government were prepared to withdraw the second clause he should be obliged to move the rejection of the Bill and take a division upon it. The House would recollect that about two years ago two persons, one the clerk to the Board of Guardians of the City of London Union, and the other the collector of nine parishes in that union, disappeared with very large sums of which they had defrauded the union. Those persons had held their respective offices for a long period of years, and during that time, owing to the neglect in a great measure of the Board, and of the Poor Law Auditors, had contrived to swindle the parishes of sums amounting to £23,000. Among the creditors, the bankers, Messrs. Smith, Payne, and Co., figured, he believed, to the extent of £4,000. Large sums were also owing to butchers, bakers, and others who had contracted to supply the union, and who were left unpaid for the goods they had supplied. The question for the House to consider was whether the ratepayers having been legally assessed prospectively, according to the spirit of the law, having paid their rates, and having obtained regular receipts, could be called upon again to make good what these swindlers had obtained, by an *ex post facto* law. He believed such a thing was unprecedented. There had been a Motion before the Court of Queen's Bench to compel payment, and the decision of that Court, which was in favour of the Board, was appealed from to the Exchequer Chamber. The Exchequer Chamber reversed the decision of the Queen's Bench, and this Bill was brought in to upset the decision of the Exchequer Chamber, and to do by enactment what the Court had refused as contrary to the existing law. The first clause, which was to prevent similar scandal in future, provided that all debts should in future be paid in twelve months, with power to the Poor Law Board to further extend the period six months. But the second clause provided for the retrospective payment of all debts which might have been incurred by Boards of Guardians within six years, being a clause to set aside the judgment of the Exchequer Chamber, and to reverse the policy of the law which required the collection of poor-rates to be prospective and not retrospective. He would not trouble the House by going into a discussion, but he believed the second clause so improper that he should vote against it. He would move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question proposed, "That the word 'now' stand part of the Question."

MR. SOTHERON ESTCOURT said, he assumed to himself whatever faults there were in the Bill, as he believed it was identical with one which he introduced when President of the Poor Law Board. Notwithstanding the hard words of the hon. Gentleman, he believed he should be able to show that the Bill was founded on equity. The ordinary understanding with regard to Boards of Guardians had always been that current expenses should be met by current rates. Boards of Guardians were trusted by their tradesmen like private gentlemen. There had never been a question until two years ago but that expenses fairly incurred by Boards of Guardians might be met by their raising rates for the purpose. About a year and a half ago the question was first raised, and the Court of Queen's Bench were of opinion that the law would permit Boards of Guardians to pay retrospective accounts. Appeal was made to the Court of Exchequer Chamber, and the Exchequer Chamber reversed the decisions of the Queen's Bench, and determined that it was not competent for Boards of Guardians to pay any expenses by means of rates which were levied after the debts had been incurred. They laid it down so strictly, he believed, that if a debt were incurred on Christmas Day it was not competent for the Board of Guardians to pay it by means of a rate made on the 4th of January. It was therefore illegal for them to pay by any other mode than ready money, and he believed the whole of the Boards of Guardians in the kingdom had been acting at variance with that decision. That being the state of the case, it was proposed to fix a reasonable limit; and by the first clause, to which he understood the hon. Member for Berkshire did not object, twelve months was fixed as such reasonable time; with the addition of six months to be allowed by the Poor Law Board in such exceptional cases, as the death of the tradesman or creditor and the inability of his representatives sooner to send in the account. An hon. Friend of his would propose to reduce the ordinary term to six months, and if the power of the Poor Law Board were extended so as to allow twelve months in addition, he saw no objection to that alteration. The second clause was that to which the hon. Member took objection. The Court of Exchequer Chamber refused to allow Boards of Gardians the power of paying retrospectively, and, of course, therefore refused to the City of London Board power to pay debts incurred under the circumstances to which the hon. Member had referred. The guardians came to him and said, "We are unanimously of opinion that our just debts ought to be paid; but it is contended that those parishes only ought to be mulcted in whose behalf the particular collector had been employed." He found, however, that no such distinction could be drawn, for, though the collector had been appointed by a few, he had been accepted by the whole body of parishes; but he told the guardians that they must carry the case to the House of Lords. They refused, however, in consequence of the expense, and brought in a private Bill, which was rejected by the House of Commons. In his opinion, it was fair and just that the constituents of the Board of Guardians should be called upon now by means of a rate collected through the whole of the parishes to repay the sum which was justly due from the Board. It might be said that the second clause proposed to accomplish by a public Bill that which the House had refused to do by a private Bill. There was really, however, a considerable distinction between the two cases; for the private Bill introduced a particular mode of raising this money, which was not to be levied from all the parishes equally, but by a special local arrangement.

MR. HENLEY moved the adjournment of the debate.

MR. AYRTON said, it would be necessary for the Poor Law Board to consider the manner in which this Bill was drawn. The measure must be entirely remodelled if it was to receive the assent of the House.

SIR GEORGE LEWIS said, that considering the advanced period of the Session, he should have thought it more convenient to accede to the second reading now, and then to discuss the clauses in Committee. The Bill consisted of two parts, which had grown out of one decision. Various frauds were committed in the City of London Union, the effect of which was that the creditors of that and other unions were defrauded of their just debts. In consequence of that defalcation, orders were made by the Board of Guardians for the payment of rates to supply the deficiency. The legality of these orders was contested, but the Queen's Bench decided in their favour. The matter was then brought before the Exchequer Chamber, where a decision was given virtually establishing the principle that Boards of Guardians could not take a single day's credit. This was a principle which had never hitherto been acted upon by the Poor Law authorities of this country, either before or since the passing of the Poor Law Amendment Act. Tradesmen who had dealt with these Boards had always given credit. The main object of the Bill, therefore, was to legalize what had always been the practice in such cases. He did not wish now to discuss whether a year was too long or too short a period, but he could not help thinking that the first clause of the Bill conferred upon Boards of Guardians not only a reasonable but a necessary power, or otherwise a principle would be established in their case which existed with respect to no other municipal body. For the reasons which he had stated, he thought there could be no doubt that it was necessary the first clause of the Bill should, in substance, be passed into a law. The second clause related mainly to the City of London, in whose case it was evident loss must be incurred by some one; and, as it was mainly through the neglect of the guardians that the frauds in question had been committed, it was, he thought, but fair to ask by whom those guardians had been elected. There was no doubt that they were elected by the ratepayers; and it therefore seemed to him that the loss which had been occasioned would fall more equitably on those ratepayers than on the tradesmen, who trusted the guardians in accordance with a practice which was at the time when the credit was given almost universal. It might be, he admitted, a hardship to make the operation of the clause extend back over a period of six years, but then he did not mean to contend that it was not in that respect susceptible of amendment. Paying regard to the principle of the Bill, however, he thought the House ought at once to assent to its being read a second time.

Mr. JOHN LOCKE would support the Motion for the Adjournment. He thought the arguments of the Home Secretary were the most extraordinary he had ever heard. The right hon. Gentleman advocated the Bill for the purpose of upsetting the decision of the Court of Exchequer Chamber, although that decision only recognized what had been the universal practice and settled law. All Boards of Guardians were bound at the beginning of each year to make a rate to meet all their probable expenses, and had no right to take credit. The hardship on the tradesmen in this case was not so great, as they must have known the risk which they incurred when they intrusted the Board of Guardians beyond their term of office. They had not, besides, sent in their bills in proper time, and therefore they had not been subjected to that hardship which might at the first blush appear to have been the case. He, therefore, saw no reason why an alteration in the law should be introduced, or why a decision which had been come to by the Court of Exchequer Chamber, after due deliberation, should be upset.

Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 44; Noes 64: Majority 20.

Mr. HENLEY would not again move the Adjournment if the right hon. Gentleman would undertake to bring on the discussion on going into Committee at a reasonable hour.

Sir GEORGE LEWIS would do his best, but he must remind the House that as every Government night would be devoted to Supply, he would have some difficulty unless a morning sitting were appointed.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 60; Noes 43: Majority 17.

Main Question put, and *agreed to*.

Bill read 2° and *committed* for *Thursday*.

House adjourned at half after One o'clock.

Sir George Lewis

HOUSE OF LORDS,

Tuesday, July 12, 1859.

MINUTES.] PUBLIC BILLS.—Divorce Court; Clerk of the Council; Court of Probate, &c., (Acquisition of Site).

AFFAIRS OF ITALY.—THE TREATY OF PEACE.

Lord BROUGHAM: Seeing the noble Earl the head of the Government in this House in his place, I wish to take the earliest opportunity of asking whether the blessed news is true that Her Majesty's Government have received information today that preliminaries of peace have been signed between the Emperors of France and Austria?

Earl GRANVILLE replied, that his noble Friend the Under Secretary for Foreign Affairs would make a statement on the subject in a few minutes, when the House was fuller.

Lord WODEHOUSE: In answer to the Question of my noble and learned Friend, I have to communicate to the House the important information, which has been received by Her Majesty's Government, that peace has been signed between the Emperor of the French and the Emperor of Austria. It will be satisfactory to the House if I read the following telegram, which has this day been received from our Ambassador at Paris:—

"Paris, Tuesday, 2 p.m.

"The following telegram has been received:—

"'Valleggio, July 11.

"'*The Emperor to the Empress.*

"'PEACE is signed between the Emperor of Austria and me.

"'The bases of the peace are—

"'Italian Confederation under the honorary Presidency of the Pope.

"'The Emperor of Austria cedes his rights to Lombardy to the Emperor of the French, who transfers them to the King of Sardinia.

"'The Emperor of Austria preserves Venetia, but she will form an integral part of the Italian Confederation.

"'General amnesty.'"

Lord BROUGHAM: I am rejoiced that the cruel slaughter which has now been going on for some time in the south of Europe, and for which they who caused the war are responsible, has ceased. Whether we shall have any difficulty in considering the terms of the peace is another thing. Enough for the present that preliminaries of peace have been signed and that the slaughter has ceased.

LORD LYNDHURST: Did I understand the noble Lord to use the words "honorary Presidency of the Pope?"

LORD WODEHOUSE: Yes, the words are "honorary Presidency."

DEBT OF NEW SOUTH WALES AND QUEENSLAND.—QUESTION.

THE EARL OF CARNARVON asked the Secretary of State for the Colonies whether Her Majesty's Government will, during the present Session, introduce any measure for the Partition of the Debt of the Colonies of New South Wales and Queensland.

THE DUKE OF NEWCASTLE said that the debt in question amounted to between £2,000,000 and £3,000,000, and had been contracted by these two colonies before their separation, for the joint purposes, to some extent, of both. Recognizing the course which had been proposed by his predecessor, he had not come entirely to the same conclusions. His predecessor had determined on the introduction of a Bill in the Imperial Legislature for settling the question. He (the Duke of Newcastle) proposed, on the other hand, to remit the question to the colonies themselves for settlement. Instructions had been sent out to take steps for assembling the Legislature of the new colony of Queensland, but it was scarcely possible that an arrangement made by the Legislature of New South Wales alone would be acceptable to Queensland, and he had therefore suggested that a joint Commission should be appointed by each colony to settle this question, and at the same time for the adjustment of the boundary.

COURT OF CHANCERY.—EVIDENCE.

SELECT COMMITTEE MOVED.

LORD LYNDHURST rose to move for the Appointment of a Select Committee to inquire into the Mode of taking Evidence in the Court of Chancery and its Effects; and said:—My Lords, the question to which I wish to call your Lorships' attention is of very considerable importance, and I have been urged by many practitioners in the Court of Chancery and by many suitors there to press the subject on your Lordships' attention. I shall endeavour, however, in the statement I am about to make, not to use an unnecessary word. My noble and learned Friends around me will be able to supply my omissions, and also to correct any errors into which I may unintentionally fall. In the administration of justice the first step is to ascertain the facts, and then to apply the law. The machinery for the purpose of ascertaining the facts ought to be such as is well calculated to elicit the truth, and to perform that cheaply and at a convenient time. That is very well and very satisfactorily accomplished in the courts of common law. The parties who are at issue attend before a tribunal with their witnesses, and the witnesses are examined and cross-examined in the presence of the tribunal; the observations of counsel are made upon the case, either to the court or the jury, as the case may be, and while the impression of the evidence is fresh upon their minds the jury come to a determination. The result to the parties is—to use an allusion to a subject of a different description—*cita mors aut victoria læta.* Now, with respect to the Court of Chancery, I am sorry to say that at one time the course which it pursued was directly the reverse. That Court, unfortunately, proceeded according to the forms of the civil law, which were not calculated to elicit the truth, and certainly not calculated to elicit the truth either in a convenient time or at a moderate expense. When I left that Court the course of proceedings was this—they administered written interrogatories to the witnesses and cross-interrogatories at the same time. The cross-interrogatories were drawn up before the answers were given. The original interrogatories, therefore, for the purpose of cross-examination were wholly inefficient. Various attempts have been made to alter that proceeding, and though those attempts have generally failed I think they failed because they were not sufficiently extensive. They were attempts merely to patch up the system. The last attempt of that kind was made in 1854 by a Commission that sat for that purpose. They suggested many alterations, and among others that alteration in the course of proceeding to which I am about to advert. But, my Lords, they recommended it merely as an experiment, as a thing to be tried—"tentative" is the expression made use of. Five years have elapsed since that alteration was made, and I am told by practitioners in the Court of Chancery that the experiment has amounted to an entire failure. Before that time, indeed, witnesses were examined and cross-examined orally before examiners to a considerable extent; but the main objection to that procedure was this—and my noble and learned

Friends must feel the importance of it—that the evidence was taken by one set of persons and the case was decided by another set, who had no opportunity of seeing the witnesses or judging of the correctness of their testimony by their demeanour. What, however, was substituted for that system? Examination by affidavit; and I appeal to my noble and learned Friends around me whether that is not the worst mode for eliciting truth that could possibly be established. Many of your Lordships, who are not accustomed to the course of proceeding in courts of justice, may not be aware of the manner in which these affidavits are framed. The solicitor, or the clerk of the solicitor, goes to a witness, who is always a willing witness, and puts to him leading questions for the purpose of drawing out those facts that are serviceable to the cause of his client; but he takes care not to put a single question that may tend to elicit a fact that may be disadvantageous to his client. When this is done, the process, which is called by the profession "cooking the affidavit," begins. The solicitor draws the affidavit in the most artificial form. He points and extends all the material facts in favour of his client, and every word that may possibly be of disadvantage to his client is avoided. I have not exaggerated in the slightest degree, my Lords, in the statement which I have made. I have conversed with practitioners who know this so well that they quite laugh at any doubt being entertained with respect to the course of proceeding. The matter does not stop here. The solicitor who draws the affidavit is generally a very acute practitioner, and understands his business perfectly well; but he is not satisfied with his draft. He thinks it must be touched up by a more experienced and more dexterous hand, and he therefore takes it to counsel to "settle it," as it is called. What would be said in a Court of Common Law of a counsel tampering with and altering the evidence of the witnesses. My noble and learned Friend on the woolsack, who has had a great deal of experience in the Courts of Common Law, will, I think, be able to carry back his recollection to the time of Lord Ellenborough. If any person, in the time of Lord Ellenborough, in a Court of Common Law, said a word about counsel "settling an affidavit," the learned Judge would have immediately burst out and said, "What do you mean? Counsel to be tampering with the evidence of the witnesses?" So that no person in a Court of Common Law would venture to talk of settling an affidavit by counsel. But this in the Court of Chancery is allowed and encouraged, and the cost of settling is allowed in the taxation, and it is sanctioned by the Court. What is the next step? When the affidavit is perfected in the manner I have stated, freed from all difficulty—"admirably drawn," as is the expression of counsel—the party attends, not before a Judge, but before an officer, to swear to this affidavit; it is read over to him more or less quickly, the witness is careless or attentive, according to circumstances, while the affidavit is being read, and after it is read he signs it. Now, what is the oath? "Is that your signature?" "Yes." "Are the contents of this affidavit true?" "Yes." Is it satisfactory that an oath should be administered in that form? Compare it with the oath taken by witnesses in the Courts of Common Law. "The evidence that you shall give shall be the truth, the whole truth, and nothing but the truth." But in the case of an affidavit in the Court of Chancery the only question is, "Are the contents of the affidavit true?" Without any great stretch of conscience the party swears that the contents are true, although the affidavit does not contain the whole truth. Now, this is the objection which I have to evidence by affidavit. I appeal to my noble and learned Friend on the woolsack, and to my noble and learned Friend on the cross benches, whether they do not admit the force of my objection. Then, what is the next step? The affidavit thus imperfect and one-sided is filed. Copies after copies of these affidavits have to be supplied. Your Lordships will mark that I have been mentioning only one affidavit, but there may be twenty in a cause, and the course of each is the same. Now, my Lords, I shall be told that a remedy has been proposed for this evil, and I wish to consider what that remedy is. The remedy is the right of cross-examination. But first let me mention the fact, that if I call a witness in a Common Law Court, I pay for that witness, and he may be cross-examined by my adversary without the latter incurring any expense. If the cross-examination should extend for a week I pay for the cross-examination, because he is my witness. What is the case in the Court of Chancery? If a witness make an affidavit and the other parties wish to cross-examine, they have to find the witness, bring him before the Court, and attend the cross-examination. At whose expense? The whole is at the expense of the cross-examiner. It is not at the expense of the party whose witness he is; and this tends to prevent the exercise of the power to cross-examine. That is only a part of the evil. If I am an unhappy party in a Chancery suit and want to exercise the power, I have to go to the Examiner and say, "I want to cross-examine such a witness." The Examiner says, "I must look at my book and see which is the first open day," and having looked, he says, "My first open day is two months hence." One of the Examiners was asked by a member of the Commission on the 28th of February, "Look at your book and tell us which is your first open day." The answer was, "The 6th of May." Another Examiner said, "My first open day is earlier; it is the 3rd or 4th of May." In both cases more than two months afterwards. Perhaps the witness is not at home. Possibly he keeps out of the way on purpose, and cannot be subpœnaed to attend in time. The Examiner has to appoint another day, and two months more elapse. At last the witness attends, and when he attends this further frequently happens:—the counsel are not ready; the opposite counsel is engaged in Court in an important cause. The examination is again postponed for two months. "Does this happen frequently?" the Commissioners asked the Examiner. "Frequently," was the answer. "Does the delay sometimes extend over several months?" "Frequently," was the answer. Some noble Lord—I do not know whom—moved for a Return upon this subject. I looked over that Return, and I found in one year 240 attendances and 264 non-attendances. In all these latter cases the appointments and notices have to be repeated. But, my Lords, suppose that at last the examination takes place. My noble and learned Friend on the woolsack knows pretty well what the course of cross-examination is in a common law court, and how prone counsel are to be discursive, even under the superintending authority of the Judge. What is the fact before an examiner? If the examiner says, "Do you think this question material?" Counsel replies, "Material! you have no jurisdiction to decide whether it is material or not; the Act deprives you of any such jurisdiction." Thus the cross-examination goes rambling on from one irrelevant point to another; and your Lordships may judge of the expense of the proceeding. Then as to the effect of the examination. It is taken down narratively by the Examiner—not question and answer; and in consequence the Court does not see whether the witness answers the questions or omits to do so. The evidence is taken in the same way as a Judge takes evidence in trying a cause. It is very well for a learned Judge to incorporate question and answer, because he sums up while the evidence is all fresh in his recollection. He can supply an omission; he can give the proper construction to a phrase; nothing can be left in doubt, because that doubt can be supplied by his memory of what took place before him. But nothing of the kind occurs when the examination is handed over to another tribunal who is to decide upon the facts; and I am told by authority which I consider unimpeachable, that it not unfrequently happens that counsel employ shorthand writers to take down the evidence, not to lay before the Court—which indeed would not receive it—but for their own guidance; and that evidence so taken not unfrequently differs in essential particulars from the evidence taken by the examiner. But the main objection is that the Court has no means of judging of the demeanour of a witness, his hesitation, his fencing with the question, and the many other circumstances which tend to betray a witness who is not speaking the truth. Can your Lordships be surprised, after what I have stated—and I have not exaggerated anything—that parties are not willing to go through the process of cross-examination, considering it almost useless, very expensive, and very dilatory? If you try what I have stated by all the tests which are possible, you will find that the whole proceeding is not calculated to elicit the truth, but directly the reverse, and that it is neither cheap nor expeditious. The propositions hitherto made apply to the mode of taking evidence previous to hearing; but there is another branch of the Court of Chancery to which I wish to refer—namely, with regard to interlocutory motions. Questions of the utmost interest are decided by the Court on interlocutory motions. How does the Court proceed? Entirely by affidavit, and subject to all the objections which I have stated. The party who makes the motion files an affidavit. The other party answers. Then there is an affidavit in reply. Then, perhaps, an affidavit in rejoinder, in rebutter, or surrebutter. There is no rule limiting the number of affidavits, and I am told that sometimes they are so numorous counsel have not time to read them through, but have to guess at the facts:—they may be seen in the Chambers of Counsel, piled up like Pelion upon Ossa. It is true that another course of proceeding may be adopted; the parties may be examined and cross-examined before the Court, as in the Courts of Common Law, if the Court thinks proper; but it is the exception. It is not liked in the Court of Chancery. The practitioners of that Court are men of extraordinary talent in arguing a case, but they are not accustomed to the examination of witnesses; they are not handy at it. They sometimes call in the assistance of a common law barrister, but I am told that while these examinations go on the state of the Court is anything but edifying. I refer to that for the mere purpose of saying that, although in one or two cases in the course of a session an examination takes place in the Court of Chancery, for the reason I have stated, or some other reason, it is an exception to the general practice and not the general rule. I began by stating, and I repeat it, because it is essential, that the practice to which I have adverted arose out of the Report of the Commissioners of 1854; but the Commissioners, in recommending the alteration, said, to use their language, "what we suggest is tentative, and we can come to no conclusion until the experiment has been tried." For four years the experiment has actually been made, and the result is that which I have stated. A noble and learned Friend of mine has asked me what I would suggest. I would suggest nothing: but I wish to have an inquiry by a Committee or a Commission, as I cannot tell what should be the remedy until I know the extent and nature of the evil. Now, my Lords, the Motion which stands in the paper in my name is for a Select Committee to inquire into this subject; but whether the inquiry takes place through that medium or by means of a Commission, it is not for me to determine. That is a question upon which it rests with my noble and learned Friend on the woolsack to pronounce a decision. The effect of intrusting the investigation to a Committee is likely to be that it will be impossible to legislate on the subject during the present Session, and that their labours may not draw to a close until even late in the ensuing Session; whereas, if a Commission be granted, the inquiry may proceed without interruption, and a Bill introduced in the course of next Session, providing a remedy for the evil to which I have drawn your Lordships' attention. But, however that may be, my Lords, my present Motion is for the appointment of a Select Committee to inquire into the made of taking evidence in the Court of Chancery, and its effects, and to report thereon.

The LORD CHANCELLOR said, that if his noble and learned Friend would undertake to serve on a Committee or a Commission he should give to the appointment of either the one or the other a cordial support. His noble and learned Friend, in addition to his great statesmanlike and scholarlike accomplishment, wa profoundly versed in the history of common law procedure. But while nobody was more capable of pointing out the inconveniences and evils which resulted from the present system of taking evidence in the Court of Chancery, his noble and learned Friend must, he thought, admit that that system had within his own recollection been marvellously improved. He (the Lord Chancellor) remembered a period when bills in equity told the same story over and over again, and each time more obscurely than on the previous occasion. When the answer came, the great object in drawing it up was that, however long it might be, it should only form one sentence, so that if a part of it had to be read it should be necessary to read the whole. But he was happy to be able to say that both the Bills and answers which he had lately read were simple, reasonable, grammatical, and perspicuous, and the answers were framed in the same way. It could not however be denied that, so far as the examination of witnesses was concerned, the present system of the Court of Chancery was productive of great evils; the cooking and settling affidavits must be considered great abuses, and little advantage was derived from the power of cross-examination as at present existing. A proposal had been made for the appointment of an Examiner with the view of rendering it more efficient; but he felt obliged to confess that proposal had turned out to be a failure, and for the reason that no preliminary proceeding had been established with the view of ascertaining the points to which the examination was to be addressed. He had simply to say, in conclusion, that he hoped his noble and learned Friend would lend his invaluable assistance to remedy the evils to which he had adverted.

LORD CRANWORTH, while admitting

that the present system of taking evidence in the Court of Chancery was in some respects open to objection, contended that it was infinitely improved as compared with that which it had been some years ago. He was quite prepared to admit that the best course to be adopted in those cases in which there arose a *bonâ fide* question of disputed facts was to summon the parties to be sent before the Court for the purpose of giving oral evidence. He must, however, observe that in those instances in which such a question was to be investigated, nothing could be more unsatisfactory than that it should be tried before an Examiner and then reported to the Court, and nobody was more alive to the justice of that statement than were the Examiners themselves. He entirely approved of a Motion for either a Committee or a Commission to inquire into the subject, in order that a remedy might, if possible, be applied to evils of which complaint was very justly made.

LORD CHELMSFORD also concurred in thinking that nothing could be more unsatisfactory for the purpose of ascertaining the truth in cases of disputed facts than the mode in which witnesses were now examined in the Court of Chancery; though when the facts were not disputed an affidavit was a cheap and ready mode of laying the case before the Court. One of the great inconveniences of the present system was that no *vivâ voce* examination could in such cases take place except at the discretion of the Judge, and not even when he wished it, unless the parties to the suit also consented to the adoption of such a course. He thought a great mistake was made in continuing the Examiners at the time of passing the Act for the Amendment of Chancery Practice. His noble and learned Friend (Lord Lyndhurst) had alluded to the great delays which existed in the Examiner's office, and if the present system continued the staff must be increased, and more power must be given. The Examiner now was a mere cipher, the examinatian was private, with only the counsel and solicitor in the case present. He had no power to check an irrelevant question, but was compelled to take down everything upon his notes, and in that shape the evidence went before the Court. The present system was objectionable not only from the inconvenience and delay to which it gave rise, but still more because of its unsatisfactory and imperfect character as a means of ascertaining the truth. The written examination was all that the Judges had before them to arrive at a conclusion. Now, upon paper all witnesses looked alike, and how great, as his noble and learned Friend had said, was the advantage in having witnesses before the Judge, so that he might distinguish between the unwilling, the false, and the truthful. It was true that power was given to the equity Judges to examine witnesses *vivâ voce;* but it was also true that there was great reluctance on the part of those Judges to do so; and during the time he was Chancellor he believed there were only three instances in which this course was taken. He had himself introduced a Bill which had passed into law, by which the Judges of the courts of equity, instead of being compelled to send contested questions of fact before courts of law, were themselves empowered to try those questions with the intervention of a jury. He was sorry, however, that there seemed to be great unwillingness on the part of the Judges in equity to adopt that which was intended to be a great advantage to the suitor in order to prevent his being driven about from court to court to obtain justice. All the disadvantages that arose out of the present system were admitted by very one, and his only objection to the Motion of his noble and learned Friend was, that he appeared disposed to occupy time unnecessarily by inquiry, whereas the vice of the system was perfectly well known already, and the remedy was obvious. What was wanted was a Bill by which, in questions where disputed facts were really involved, the parties might at once examine the witnesses in open court, and so the facts might be ascertained. Such a measure, it seemed to be thought, would lead to increased expense; but he (Lord Chelmsford) did not think so, for it should be remembered that the evidence, which was now rendered more voluminous by the want of power and authority in the Examiners, would be considerably reduced in length by examination in open court.

LORD BROUGHAM thought they were all agreed upon the evils of the present system, and the necessity of a change; but he did not agree with his noble and learned Friend (Lord Chelmsford) that the remedy was obvious. It seemed to him, at the first blush, that there could be no effectual *vivâ voce* examination of witnesses, owing to the nature of the proceedings or of the issue placed before the Court. They had not now the absurdity of cross-examining without any knowledge of what the direct examination was—that gross absurdity had ceased—but such were the effects of the system, while it lasted, that when in the Court of Chancery he hardly ever found an instance of cross-interrogatories. Another and a still greater evil in the system was, that one person took the case and then decided on it—that the Judge who had to decide the case on the evidence never saw the witnesses, and had not an opportunity of seeing their manner and their demeanour. That was a very great evil, because it was almost as material for a Judge, who had to decide on the crêdit of a witness, to see his manner of giving evidence as it was to know what that evidence was, or to have the substance of it taken down in writing. The great difficulty, however, was this.—Proceedings in equity generally led to a vast number of facts asserted on the one side and denied on the other. How were these to be reduced to such a narrow compass that a jury could be empanelled to try them? He owned, however, that he did not despair of the possibility of this being done. He thought the Court might be allowed to have the statements of parties before it—that they should be allowed to make their alternate allegations, and then upon the subjects that were in dispute an issue might be drawn with the concurrence, or at least with the knowledge of the parties, and after hearing their suggestions, be finally sent before a jury. He was by no means confident, however, that this would not lead to expense, complication, and delay. That was the very matter on which he thought a Commission would be of service. A Commission would have before it counsel, solicitors, and even the Judges, and he had great hopes it would be able to arrive at some satisfactory result. He was not so sanguine of the result of a Committee, and therefore he trusted a Commission would be allowed to issue.

After a few words from Lord WENSLEYDALE,

LORD LYNDHURST withdrew his Motion for a Select Committee, and *moved*—

> "That an humble Address be presented to Her Majesty, praying Her Majesty graciously to appoint a Commission to inquire into the Mode of taking evidence in the Court of Chancery, and its effects."

Motion *agreed to.*

The said Address to be *presented* to Her Majesty by the Lords with White Staves.

Lord Brougham

SCOTTISH UNIVERSITIES.

QUESTION.

THE EARL OF AIRLIE rose to ask Her Majesty's Government whether, after the Report of the Commissioners appointed under the Act 21 and 22 *Vict.*, c. 83, "Universities (Scotland) Act," on the Petitions which were referred to them on the 4th instant, against their Ordinance of the 12th March, 1859, shall have been submitted to Her Majesty in Council, such Report will be communicated to Parliament before Her Majesty shall have signified Her final Approval or Disapproval of the Ordinances of the 12th March, 1859. The noble Earl said the matter respecting which he was about to put a question to the Government was one which had excited a deep and lively interest, not only in the city and the University of Aberdeen, with both of which he was connected, but throughout the north of Scotland. Their Lordships would recollect that last year an Act was passed which had for its object "to make provision for the better government and discipline of the Universities of Scotland," and that Commissioners were appointed under the Act, with power to frame ordinances for the purpose of carrying out its provisions. There was a clause in the Act which prescribed the forms to be complied with by the Commissioners before effect could be given to the rules or ordinances which they might frame. The most important provisions in this clause were that any rules or ordinances which might be made by the Commissioners should be published in the *Edinburgh Gazette* for four consecutive weeks, and should be at the same time laid before both Houses of Parliament; that any University or college, or the trustees of any endowment, or any other person directly affected by such rule, statute, or ordinance, might within one month after the last publication thereof in the *Gazette*, petition Her Majesty in Council to withhold Her approbation of the whole or any part thereof; that it should be lawful for Her Majesty in Council to refer such petition to the Commissioners, and to direct that they should hear the petitioner or petitioners by counsel, and report specially to Her Majesty in Council on the matter of the said petition, and that it should then be lawful for Her Majesty by Order in Council either to declare her approbation of any such rule, statute, or ordinance, in whole or in part, or to signify her disapproval thereof in whole or in part, in which case the Commissioners might proceed to frame other statutes or ordinances, subject to the like provisions and conditions. Now, on the 12th of March of this year an ordinance was published by the Commissioners, which ordained, among other provisions,

> "That there shall not be more than one professorship in any one branch of instruction in the faculty of Arts in the University of Aberdeen."
>
> "That the classes in the faculty of arts, with the exception of the class of natural history, and the classes in the faculty of divinity in the University of Aberdeen, shall assemble and be taught in that portion of the University buildings hitherto belonging to and occupied by King's College, with any additions that may be made thereto, and those in the faculties of law and medicine, and also in the class of natural history, shall assemble and be taught in that portion of the University buildings hitherto belonging to and occupied by Marischal College, with any additions that may be made thereto."
>
> "That the general library of the University shall be kept at that portion of the University buildings hitherto belonging to and occupied by King's College, but any library or libraries to be appropriated to the faculties of law and medicine shall be placed in buildings convenient for the use of these faculties."

The effect, then, of the ordinance of March 12 was this, it would reduce Marischal College from a place of liberal education to a mere school of law, medicine, and natural history. It would reduce the number of professorships in the faculties of arts—that is, in Greek, Latin, and the other branches of a liberal education—to little more than half the number that now existed, and it would transfer the University library from Marischal College to King's College. Before the publication of the ordinance, evidence was tendered by those persons and corporate bodies whose interests were directly affected by the changes that were in comtemplation. Evidence was tendered by the Senatus Academicus of Marischal College and by other persons as to the injurious effects on education that would probably follow the suppression of a large number of professorships; evidence was tendered by the Town Council of Aberdeen as to the amount of money which had been expended by the town in the repairs and extension of Marischal College, and as to the vested rights of a large number of the citizens of Aberdeen in the University library; but he believed he was correct in stating that the Commissioners refused to hear any evidence whatever previous to the issue of their ordinance. It was hardly to be expected that an ordinance framed under such circumstances should be approved by the parties whose right were affected by it. Petitions against the ordinance were immediately prepared, and were presented in compliance with the Act to the Queen in Council. The petitions were referred by the Queen in Council to the Commissioners, with directions that the petitioners should be heard by counsel. The case of the petitioners was heard in Edinburgh, before the Commissioners, on the 4th of this month. The case of the petitioners had now therefore reached this stage—it was now under the consideration of the Commissioners, and when the Commissioners had formed their opinions upon it, they would have to make a report to the Queen in Council, and Her Majesty would, after having received the report of the Commissioners, signify her approval or disapproval of the ordinance. Now, what the persons whose interests were affected by the ordinance in question desired was this, that they should be made aware of the nature of the report of the Commissioners before the final and irrevocable step had been taken, before Her Majesty had signified her final approval or disapproval of the ordinance. They wished to have an opportunity of laying their case fully and fairly before the Government, and they wished to do so before the Government was committed to the ordinance. It might be said that the petitioners have been heard already. But, in the first place, he apprehended that as to laying the evidence before the Privy Council, that was to a great extent a matter of form, for it was to be supposed that the Government would be very much guided by the report of the Commissioners. But there was another reason for which he thought the persons affected by this ordinance should have an opportunity of laying their case before the Government. He should be able to show that the feeling of dissatisfaction which had been excited in the first instance by the apprehension that the double professorships would be suppressed, and by the fear of the other steps which had been taken by the Commissioners, was so far from subsiding that it had largely increased. That was a consideration which should carry great weight with the Government, and perhaps it would naturally carry more weight with them than with the Commissioners. A measure might be perfectly wise and just in the abstract, and yet it might excite such irritation that it might not be expedient, having regard to those interest which it was intended to promote, to force it upon unwilling people. He was prepared to show that the ordinance, if it took effect, would render education less accessible to the poorer classes than heretofore; that the suppression of Marischal College as a seat of learning was in direct contravention of the wishes of the founder as expressed in his will; that large sums had been expended in the repair and extension of Marischal College by the town of Aberdeen, on the supposition that education, in all its branches, was to continue to be carried on there; that in removing the faculties of arts from Marischal College to King's College they were transferring them from a site which was convenient for the students to one which was less convenient for them; that at this very moment there were persons who had it in contemplation to bestow bursaries and other endowments on the Aberdeen University, who would withhold such endowments if the ordinance was carried into effect; that a large number of the inhabitants of Aberdeen have a right to repair to the University library for study, and that in removing the library to King's College they would be placing it where it would be practically inaccessible to them. He undertook to show that the ordinance, if it took effect, would entail a wanton and wasteful expenditure of public money. Those who opposed the ordinance wished to learn, if the report of the Commissioners should be unfavourable, the grounds on which the Commissioners had formed their determination; they wished to learn why Marischal College and the city of Aberdeen were to be visited by a penal enactment. If they succeeded in persuading the Government to adopt their views, of course that would be to them a subject of congratulation; if, on the other hand, they should fail, they would at least have the satisfaction of having been beaten in a fair field and in the face of day. But if they were denied such an opportunity, then the dissatisfaction which now existed would be aggravated tenfold, an impression would get abroad—though he, for one, need hardly say that he would not share that impression—that there was some reason in the back ground for the decision of the Commissioners besides those which were openly put forward, and he would leave their Lordships to judge how far such an impression would contribute to the satisfactory working of an institution whose success must, in a great degree, depend on the co-operation and the good-will of those for whose benefit it was intended. The noble Lord concluded by putting his Question.

EARL GRANVILLE said, he was sorry that in answering the Question of the noble Earl, upon a matter in which it was evident that he took a deep interest, he was not able to give a very definite reply. The Commissioners having taken the evidence, they were now considering their report; but that report not having been yet presented, the Government, of course, had not formed any opinion on it. He entertained a confident expectation that the report would state the grounds upon which the Commissioners had come to their conclusions whether in affirming or reversing their former decisions. He could assure the noble Earl that the Government had no wish to act with any precipitancy in the matter.

House adjourned at a quarter-past
Seven o'clock, till To-morrow,
Half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 12, 1859.

MINUTES.] NEW MEMBERS SWORN.—For Ashton under Lyne, Right hon. Thomas Milner Gibson; for Wolverhampton, Right hon. Charles Pelham Villiers; for Cork County, Richard Deasey, esq.

PUBLIC BILLS.—1° Public Improvement; Imprisonment for Small Debts; Municipal Corporations; Dwellings for Labouring Classes (Ireland).

ATLANTIC TELEGRAPH COMPANY (No. 2) BILL.

LORDS' AMENDMENTS.

Order of the Day for the Consideration of the Lords' Amendments read.

VISCOUNT DUNCAN said, that this Bill was very similar to the Red Sea Telegraph Bill which they discussed yesterday, and before it was disposed of he wished the Secretary to the Treasury to explain one of the clauses of the Bill, which seemed to him the most extraordinary he had ever heard of in a private Bill. He alluded to the 15th Clause, which was as follows:—

> "It shall be lawful, for the Lords Commissioners of the Treasury and the Company by mutual agreement, from time to time to rescind, modify, or alter any agreement or arrangements now in force under the first recited Act, or which might be at any time hereafter made and entered into."

The effect of this clause seemed to be to dispense altogether with the necessity of the consent of the House of Commons. It went on to provide—

> "That for assisting and facilitating the Atlantic Company's undertaking, the Lords Commissioners of the Treasury might, on behalf of Her Majesty and Her Majesty's Government, from time to time make and enter into such agreement with the Company as they might think proper for appropriating and applying any fixed or varying annual payment or dividend upon all or part of the present or of any further capital of the company as a guarantee of the dividends of the company."

He asked the Secretary of the Treasury what was the nature of the powers that were sought to be taken by the Lords of the Treasury under this clause in a private Bill?

MR. LAING said, the object of the clause to which his noble Friend adverted was to enable the Treasury to carry out with the Company the terms of the contract which had been agreed upon by their predecessors before the present Ministry came into office. The terms of the agreement were in substance, that the Government should guarantee a minimum dividend of 8 per cent on a capital of £600,000, the guarantee, however, being entirely conditional on the success of the undertaking. The guarantee was only to come into effect in case the cable was laid down successfully, so as to work at least 100 words per hour. He did not know that it was necessary for him to go into the details of the arrangement. It was not open to the objection that was taken to the Red Sea Telegraph guarantee, but was a guarantee conditional on the work done. He believed that if the cable were successfully laid, the commercial receipts would return the sum, or nearly the sum guaranteed. However, the arrangement had been made by their predecessors, and was therefore binding on the present Government; and after the decision of the House last night in the case of the Red Sea Telegraph, he trusted that the further stages of the Bill would not be opposed.

COLONEL WILSON PATTEN asked if the guarantee were to continue, in case the cable should be broken?

MR. LAING replied, that it would be continued only so long as messages could be transmitted at the rate he had mentioned.

SIR JAMES GRAHAM said, the difference between the two cases was, that the guarantee to the Red Sea Telegraph Company was an unconditional guarantee for fifty years, whereas this was a conditional guarantee for twenty-five years. He thought it absolutely necessary, if this system of guarantees by the Treasury was to continue, that the responsible Minister should appear in his place in the House and state what was the precise nature of the arrangement that had been entered into. He hoped that this matter was about to undergo a prospective and serious investigation. He took the opportunity of saying that he did not, when making observations yesterday on a kindred measure, either directly or indirectly mean to infer that there was any neglect on the part of the Speaker with reference to the Bill. It was true that a money resolution had been moved, but somehow, either so early or so late, as not to attract the notice of the House. It was also true that the money clause was printed in italics, but as it was a private Bill, and not more than twelve or twenty were circulated, and unless a Member asked for it, it was not sent to him, that was no notice. He hoped there would be no more such loose arrangements, or that they would be more deliberately submitted to the judgment of the House.

LORD JOHN MANNERS denied that the arrangements made with regard to this telegraph were framed, as the right hon. Baronet alleged, in a loose manner. From his own personal knowledge he could state that they formed the subject of more than one anxious deliberation on the part of the Cabinet, and he believed that they were conducive to the public interest.

The Lords' Amendments considered and *agreed to.*

GREIVE'S DISABILITIES REMOVAL BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

SIR ANDREW AGNEW wished to point out that in this Bill Dr. Skinner was called a "bishop of the Episcopal Church of Scotland and Bishop of Aberdeen." Now, there was no objection to the former designation, but to describe him as the "Bishop of Aberdeen" was a highly objectionable innovation.

MR. STEUART said, the general law on this subject was that no priest, unless he was ordained as a minister of the Church of England, should be allowed to hold a benefice or to officiate in any church in England, but a Scottish or an American episcopal clergyman might be allowed to officiate for two Sundays in any diocese. He believed that some four or five private Bills had been passed taking individual cases out of the general law, but he thought the House ought to regard with great suspicion any Bill which superseded the general law of the land. He agreed with the hon. Baronet that the title "Bishop of Aberdeen" was an invasion of the spirit of the statute. With regard to this particular case, Mr. Greive did not come into Court with clean hands. He held in his hand a letter from a distinguished dignitary of the Scottish Episcopal Church, whose name he was not at liberty to mention, and who spoke of this application of Mr. Greive's to be admitted into the English Church, without the sanction of his bishop, as an act of great presumption. Mr. Grieve belonged to a party in the Scottish Episcopal Church who wished to subvert its doctrines and formula, whose Romanizing tendencies had been condemned by its dignitaries. Mr. Greive himself incurred the censure of his bishop. The Rev. Mr. Cheyne had been summoned before him to answer a charge concerning the doctrine taught by him in six sermons which he had published. The bishop put the matter to the presbyters, and twelve of them honestly gave their opinion, but the other nine, of whom Mr. Greive was one of the most prominent, refused to give an opinion, and endeavoured to obstruct the bishop in the exercise of his duties, for which he censured them. He moved that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

MR. SOTHERON ESTCOURT said, he was not a promoter of the Bill, nor had he any acquaintance with the Rev. Mr. Greive, but he thought the course recommended by the hon. Member was at variance with all precedent, and unjust to an individual. After a person had gone to the expense of promoting a Bill of this nature in Parliament, in accordance with the practice which had heretofore prevailed, it was hard to suddenly turn round and say, "We will shut the door against you because we now think these cases ought to be dealt with by a general Act applicable to all cases." That might be a good proposition, but it was hard to make Mr. Greive the victim of a change of opinion on the part of the House. As to Mr. Greive being under the censure of his bishop, he wished to clear himself of the charges against him, and if the Bill were now read a second time, it would be referred to a Select Committee, which would, of course, inquire into the whole circumstances.

SIR HARRY VERNEY said, that speaking on the part of the Church of England, he thought the result proposed to be attained by this measure ought to be effected by a public Bill. If Mr. Greive was to be permitted to hold a living or officiate in the Church of England the opposition of the House would not necessarily prevent him, for he would be relieved by the provisions of the general measure if it were passed. He thought the House ought to resist this request of Mr. Greive.

MR. STIRLING said, that Mr. Greive's case was not that of a Scotchman seeking entrance into the Church of England. He was an Englishman born, but he happened to receive the close of his education in Scotland, and there he was ordained in order to enable him to hold a living near Aberdeen in the year 1850, and there he had remained ever since until now. Very lately his circumstances had changed. He (Mr. Stirling) believed that within a few months past his father had died leaving him to take charge of an infirm relative, who was a ward in Chancery, and to whom he had been appointed guardian. This compelled him to live in England. Then what was he to do? As regarded the circumstances under which he left Scotland, it appeared that he had been severely reprimanded by the bishop. And why? A certain gentleman was arraigned by the bishop for holding opinions supposed to be erroneous; and Mr. Greive, with eight other gentlemen, refused to give an opinion on the subject, because the gentleman arraigned had taken a technical objection to the charge, and refused to plead. He fully admitted that the bishop did make remarks on what was called Mr. Greive's contumacy; but in the letters of dismissal the bishop and others testified that for the space of three years, during which they had known him, Mr. Greive had lived piously, soberly, and honestly, and had written and taught nothing against the doctrine and discipline of the Episcopal Church of Scotland, or of England. Therefore the ecclesiastical censure passed by the bishop had been washed away. There was only one other portion of the hon. Gentleman's speech to which he (Mr. Stirling) would refer, and that was the letter from the Bishop of Winchester. Now, the Bishop of Winchester was a Member of the House of Lords. Then why did not the right rev. Prelate oppose this measure whilst it was passing through the House of Lords?

MR. BRIGHT said, the House had not been able very clearly to understand the merits of the case either from the speech of the hon. Member for Cambridge (Mr. Steuart), or from his right hon. Friend who sat on the front Opposition bench (Mr. Sotheron Estcourt). It had been proposed to send this Bill to a Committee, who were to decide, he supposed, whether or not this gentleman held sound opinions, and whether he ought or ought not to be under the ban of his bishop. Now he (Mr. Bright) protested against the House of Commons being made the tribunal of any such controversy. This Bill did not profess to go to the Committee upon any principle. He (Mr. Bright) believed there was no principle in it, but rather upon the practice of not allowing a gentleman ordained north of the Tweed to officiate south of that river. The Bill certainly tended to produce a free trade in clergymen. The Chancellor of the Exchequer allowed spirits to pass across the Tweed free of duty, and he did not know why spiritual teachers should not be equally exempt from interference. The English Church was not so particular as to refuse the priests ordained by the Roman Catholic Church without further qualification; unless this gentleman were much deeper dyed than a Roman Catholic priest, there is no reason why a refusal should be extended to him. This subject, no doubt, should be dealt with by a general measure. At the same time it seemed that this opposition was not the fault of this gentleman. He (Mr. Bright) had very little sympathy with any of them, but he thought that the House ought to pass this Bill, no objection having been raised to any previous measure of the same kind; and then if a grievance were established, it might be removed by a general measure, and thus the House be spared the pain of a somewhat humiliating discussion.

MR. HUNT pointed out that there was no legislative inability in the Bishop of Aberdeen holding his present title, inasmuch as the Scotch bishops were expressly excepted out of the Ecclesiastical Titles Bill.

MR. NEWDEGATE quite agreed with the hon. Member for Birmingham that this House was not the proper tribunal for ecclesiastical discussion. But the hon. Member was mistaken, if he thought that the House could legislate on this subject without practically expressing an opinion. But he thought there was no reason why they should not express their opinion on this particular case, because he doubted very much whether the House ought to pass any Private Bill of this kind. This Gentleman could not come before the House except by virtue of his connection with the Episcopal Church of Scotland, and the Episcopal Church of Scotland had passed him under its censure—he had been condemned by the authority, in virtue of which he appeared before the House—and yet this gentleman asked the House to grant him a special privilege to which the House generally objected. The House therefore could not fail to express its opinion with respect to this claim. The Episcopal Church of Scotland was not the Established Church, and in many important respects its formularies and its doctrines and acceptance of the Thirty-nine Articles were not those of the Church of England. This gentleman was condemned by the Episcopal Church of Scotland, and he (Mr. Newdegate) did not see how they could admit him to the benefits of the Church of England with which he still more widely differed. He must oppose the second reading of the Bill.

MR. E. P. BOUVERIE said, that the general question before the House was much more important than the personal merits or demerits of this gentleman, with which the House had nothing to do. The real question was, were they prepared to make an exception to a general law? The right hon. Gentleman the Member for North Wilts (Mr. S. Estcourt) had said that the question was not fairly raised by this Bill. But it was raised; for if the existing law was a good law, some reason ought to be shown for departing from it.

MR. SOTHERON ESTCOURT said, he had observed that many Bills of the same description had been passed already.

MR. E. P. BOUVERIE: This was far from being an old or an effete law. It was passed at the end of the last century, and had been recognized as an Act passed in the course of the present reign. This proceeding was, as the hon. Member for Birmingham said, introducing free trade into the Church of England, and the House should bear in mind that the Church of England had no control over the Scotch bishops, whose particular opinions were not sympathized in by a large number of Episcopalians in this country. Was it reasonable that an individual, who was a member of the Episcopal Church of Scotland, should be permitted to officiate and hold benefices in the Church of an adjoining country?

Lord JOHN MANNERS said, the hon. Member for North Warwickshire (Mr. Newdegate) seemed to think that Mr. Greive had been censured by his Episcopal superior in Scotland. Now that was not the case. The whole complaint against him was that he declined to pronounce an opinion in a case in which only one side had been heard. Although there was no doubt that the Bishop in question did write the letter of censure, it was also true that the same Bishop had afterwards written a letter in which he spoke of Mr. Greive in the highest possible terms. The right hon. Gentleman who last spoke asked the House to reject this private Bill on the ground that it infringed what he regarded as a sound general principle. The subject was one in which, in his (Lord J. Manners') opinion, deserved mature consideration; but the question now to be determined was whether, on statements made on one side and rebutted on the other, they would refuse to an individual who had already incurred great expense in passing this Bill through the House of Lords, the same licence and liberty which Parliament had in numerous instances accorded to persons in analogous circumstances. He thought that it would be in the highest degree unfair, upon mere *ex parte* statements, to withhold the relief asked for in this instance; and he would therefore support the second reading of the Bill.

Mr. ROEBUCK said, it appeared to him that a fair statement of this case had not yet been made. The right hon. Member for Kilmarnock (Mr. Bouverie) objected to any deviation from a general law which was a good law. He agreed with him in the objection. But what was the fact? There were two classes of men to whom he would direct the attention of the House—Catholic priests and Episcopalian clergymen. They acknowledge the ordination of the Catholic priest, and the moment he called himself a member of the Church of England, his ordination being admitted, he could at once take a benefice. But, when a Protestant Episcopalian clergyman of Scotland declared himself a member of the Church of England, he was obliged to go to a Bishop of the Church of England for ordination before he could hold a benefice. Now, he wished to know why they objected to the sham, while they did not object to the real thing? What was the real objection to the clergyman to whom this Bill referred? Everybody knew what it was—that he was too much like a Catholic priest. If he were actually a Catholic priest he would not have to come to that House; but being, as he said he was, a conscientious member of the Church of England, — having been ordained, not by a Catholic Bishop, but by an Episcopalian Protestant Bishop—they refused to admit him into the Church of England. They did admit Catholic priests, but they did not admit Episcopalian clergymen of Scotland. Now, it appeared to him that this was unfair towards our Protestant Episcopalian Brethren in Scotland. He put the case simply upon that ground. A rule was established with regard to the ordination of Catholic Bishops, and if that ordination gave admission to the Church of England, what man would say that ordination by a Protestant Episcopalian Bishop of the Church of Scotland should not have the same effect? As he (Mr. Roebuck) was a thorough-going Protestant, and believed in the benefit of free trade in religion as well as in everything else, he was in favour of the Bill, because he thought that the same rule which applied to Catholic priests ought to apply to Protestant Episcopalian clergymen of Scotland.

Sir GEORGE GREY said, that in stating his views upon this question, he must be understood as expressing merely his own opinions. The state of the law had been, no doubt, accurately laid down by the hon. Member who moved the Amendment. By an Act of the 32nd of *Geo.* III. clergymen ordained by Bishops in Scotland were not only prohibited from holding curacies or benefices in England, but from officiating at all in the Established Church in this country. That Act was revised in 1840, when its provisions were, with great caution, so far relaxed as to allow that a Scotch Episcopalian clergyman might receive permission from the bishop of a diocese to officiate for two days, only to be named in such permission, within that diocese, and that the permission might be renewed from time to time. Clergymen ordained by the Colonial Bishops, or in the East Indies, might, by another Act under certain conditions and restrictions, be admitted to the status and privileges of clergymen ordained by the Bishops of the Established Church in England and Ireland; but clergymen ordained by Bishops in Scotland were expressly excepted from the operation of this Act by the special statutes applicable to them. A good deal had been said about the relaxation of the general law, and he was not prepared to say that it should not be revised; but he thought it would be acting hastily to declare that a law which had been under the consideration of Parliament so recently as 1840 should be repealed without very careful inquiry into the status and position of the Bishops in Scotland, and of the clergymen ordained by them, as well as into the circumstances which led to the prohibition that had been imposed. In his opinion such an inquiry ought to precede any pledge given on the part of the House with regard to a Bill repealing or relaxing the existing law. Then the question arose whether, so long as the law remained in its present form, they should deal with these exceptional cases by private legislation. During recent years the House had sanctioned this practice by passing five Bills similar to that under consideration, exempting clergymen from the prohibitions imposed by the general law. If this were the first instance in which such a Bill had been submitted to the House, he would have no hesitation in saying that it ought not to be sanctioned. He would not say that under no circumstances ought the House to grant an exemption from the general law; but so long as the general law was maintained he thought its operation would be most partial and unfair if exemptions from it were granted to a few individuals who could afford to pay the expenses of private Bills, without any very special circumstances. In his opinion the House was incompetent to decide that there was anything in the doctrine held by Mr. Greive to disentitle him to their indulgence, but they were justified in inquiring what were the peculiar circumstances under which they were asked to sanction a departure from the general law. Mr. Greive was ordained only about eight years ago; and the only ground he alleged for his Bill was that he had some aged relations in England, near whom he wished to live; and he, therefore, asked the House to give him the status of an English clergyman, subject to the consent of the Bishop of the diocese in which he might obtain a curacy or living. Were these circumstances such as should take the case of this gentleman out of the general category? He thought the House had acted incautiously in allowing Bills of this nature to pass without careful investigation; and, although he regretted that this gentleman should be put to any inconvenience, he was of opinion that some check should be put upon applications of this kind, and he thought the best course would be not to allow the Bill to proceed until inquiry had been made on the subject. What had been stated by the hon. and learned Member for Sheffield (Mr. Roebuck) with regard to Roman Catholic priests was quite true, except that the hon. and learned Member forgot to state that before a Roman Catholic priest was admitted into the Church of England he must sign the Thirty-nine Articles, which amounted to a renunciation of his connection with the Church of Rome. There was no question of reordination in the present instance. The ordination by a Scotch bishop was good, but the law had attached a condition to it which incapacitated the clergyman so ordained from holding a permanent cure of souls in England. He (Sir G. Grey) admitted that the state of the law in this respect was an anomaly, but an inquiry into the whole case should precede any alteration of it.

MR. HADFIELD said, that the recognition of the ordination of the Church of Rome by the Church of England, while she refused to recognize the ordination of Protestant Dissenters, indicated a greater affinity between the Established Church and Romanism than existed between her and Nonconformity. The Vicar of Sheffield, a large-minded and exalted clergyman of the Established Church, was prohibited from preaching in any Nonconformist pulpit, although he was allowed to preach in the open air. He hoped the day was not far distant when all religious denominations would be placed on a footing of perfect equality, and when the time of the House would not be wasted with these unseemly discussions.

VISCOUNT PALMERSTON wished to state, in a few words, the grounds upon which he should give his vote against this Bill. The discussion, as far as the legal argument had gone, had been a discussion on the merits of the law as it now stood, and no doubt on that point inquiry might be advisable. It might be a fit subject for the House to entertain, whether the present law should or should not be continued; and if not, in what degree it should be modified. But in principle there was a great objection to all Bills establishing exceptions to the general law of the land, and though he might regret that the rev. gentleman interested in this question should be put to unnecessary expense, it was nevertheless time to put a stop to private Bills of this description. If, however, it was deemed right that the law should be reconsidered on its own grounds, he was quite ready to assent to any such inquiry.

Question put, "That the word 'now' stand part of the Question."

House *divided*:—Ayes, 84; Noes, 232: Majority, 148.

Words *added*: — Main Question, as amended, put, and *agreed to*.

Bill *put off* for three months.

AFFAIRS OF ITALY—THE PEACE.

LORD ELCHO'S MOTION.

MR. **DISRAELI**: Sir, I have no wish to trespass on Her Majesty's Government for information which it may be inconvenient for them to give at the present moment; but I am sure they will allow for the deep interest which the country must feel in the present state of public affairs. Under these circumstances I would be glad to know from the noble Lord the Secretary of State for Foreign Affairs, whether he has received any communication respecting the interview which was anticipated to take place yesterday between the Emperor of the French and the Emperor of Austria, and whether he can inform the House what has been the general consequence of that meeting?

LORD **JOHN RUSSELL**:—Sir, Her Majesty's Government have received intelligence on the subject referred to by the right hon. Gentleman. At two o'clock this day I was informed by the Ambassador of the Emperor of the French that he had received a telegram, informing him that peace between the two Emperors was signed yesterday. Since my interview with the French Ambassador I have received a telegram from Lord Cowley, and I think I cannot better satisfy the anxiety of the House than by reading the statement contained in that document:—

> "Paris, Tuesday, 2 p. m.
>
> "The following telegram has been received:—
>
> "'Valleggio, Juillet 11, 1859.
>
> "'*The Emperor to the Empress.*
>
> "'PEACE is signed between the Emperor of Austria and me.
>
> "The bases of the Peace are:—
>
> "'Italian Confederation under the honorary Presidency of the Pope.
>
> "'The Emperor of Austria cedes his rights to Lombardy to the Emperor of the French, who transfers them to the King of Sardinia.
>
> "'The Emperor of Austria preserves Venice, but she will form an integral part of the Italian Confederation.
>
> "'General amnesty.'"

That is the whole that is stated in the telegram. I may state further, because there has been a rumour for some weeks past that whenever peace came to be signed and Lombardy should be ceded to Sardinia, France would ask as compensation for her expenses in the war to have Savoy ceded to her, that I am happy to be able to inform the House that the Emperor of the French has made no demand of that kind, and that there is every reason to suppose that he does not intend to make any addition whatever to the territory of France. This is most gratifying, because any addition to the territory of France, however insignificant, following on the war, could not fail to arouse the suspicions and jealousies of Europe. I hope, that under the present circumstances, the noble Lord the Member for Haddingtonshire (Lord Elcho) will not persevere in the notice of Motion which he has put on the paper, and that he will give the House to understand that it is not his intention to persevere in it.

LORD **ELCHO**: In reply to the appeal made to me by my noble Friend the Secretary of State for Foreign Affairs, I wish to state that though I cannot admit as a general proposition that the Members of this House, or this House itself, is to be debarred from expressing an opinion on matters of this nature, I shall not press the Motion that stands in my name for Thursday next. I shall, therefore, on that day, ask for leave to withdraw it. But I reserve to myself the right, if it appears to me desirable to exercise it, of explaining in a few words what the motive was which induced me to place that notice on the paper.

THE FEEJEE ISLANDS.—QUESTION.

COLONEL **SYKES** said he wished to ask the Secretary of State for Foreign Affairs whether the Government proposes to recommend the acceptance of the offer of the Sovereignty of the Feejee Islands; and, if so, at what additional cost to the Imperial Exchequer above the present outlay of above £4,000,000 per annum for colonial purposes?

LORD JOHN RUSSELL said, the acceptance of the Sovereignty of the Feejee Islands had been very much impressed on the Government, both by persons who took an interest in the growth of cotton, and also by persons interested in Missionary labours in those islands. The matter, however, was under the consideration of the Government.

MR. BRIGHT said, he hoped the noble Lord would allow this matter to come under the consideration of the House before any final steps were taken with respect to it. He (Mr. Bright) was himself a little interested in the growth of cotton; but he protested against being supposed on that account to ask for the acceptance by this country of the Sovereignty of the Feejee Islands.

ECCLESIASTICAL COMMISSION.

QUESTION.

MR. FREELAND said, he would beg to ask the Secretary of State for the Home Department whether Her Majesty's Government intend to reintroduce the Ecclesiastical Commission Bill of the late Government, or to introduce any new Bill of their own during the present Session? Whether or not the attention of Her Majesty's Government has been called to the concluding paragraph of the Eighth Report of the Church Estates Commissioners, from which, and from the evidence annexed, it appears that between the mode of valuing the Reversions of Church-house property employed by the Surveyor to the Commissioners and that contended for by the Lessees of such property there is a difference in cases of Enfranchisement on the part of the former of £800,000 on the whole in favour of the Church, or the Ecclesiastical Commission, and, by consequence, adversely to the Lessees? Whether or not it is the intention of Her Majesty's Government to leave such Surveyor in future to value without appeal, or to provide that the Lessees of such property shall be at liberty, in cases of enfranchisement, to claim a reference to arbitration?

SIR GEORGE LEWIS said, it was not the intention of the Government to propose during the present Session any Bill altering the relative positions of the Ecclesiastical Commissioners and the Lessees; but it was their intention to submit to the House a Bill containing some clauses intended to facilitate the operation of the Acts relating to the Ecclesiastical Commission. With respect to the second question of the hon. Gentleman, it was true that the Church Estates' Commissioners had, in their Eighth Report, stated that the principle on which they acted had been disputed, and that if that principle were admitted it would make a difference to the amount mentioned by the hon. Member; but the Commissioners entertained no doubt of the rectitude of the principle on which they acted, and they therefore did not recommend the adoption of any conflicting principle. With reference to the third question, Her Majesty's Government had no power in the matter. The question was entirely under the regulation of Acts of Parliament, and it was not their intention to propose any legislation on the subject.

THE MILITIA COMMISSION.—QUESTION.

CAPTAIN GRAY said, he would beg to ask the Secretary of State for War what progress has been made in its inquiry by the Militia Commission appointed on the 9th of July, 1858; and whether a Report may be expected from it during the present Session of Parliament?

MR. SIDNEY HERBERT said, the Commissioners had sent in their Report, and the Government was anxious to have an opportunity of deciding to what extent they could adopt their recommendations. He hoped to be able to state in a few days what decision had been come to on the question.

CHURCH RATES.—QUESTION.

MR. GRIFFITH said, he rose to ask the Secretary of State for the Home Department whether he will be prepared to state the views and intentions of Government on the subject of church rates on the second reading of the Bill for the abolition of church rates.

SIR GEORGE LEWIS said, he was quite ready to answer any question, such as was usually put in that House; but he was not aware that it was customary to ask a Member whether he intended to make any statement upon a Bill of which he himself was not in charge. If in the course of the debate on the Bill he should feel it his duty to address any observations to the House, he trusted the House would give him the opportunity of doing so.

LAW OF DEBTOR AND CREDITOR.

QUESTION.

Mr. MURRAY said, he wished to ask Mr. Attorney General whether it is his intention to proceed this Session with a Bill brought from the Lords, intituled "An Act to Amend the Law of Debtor and Creditor, Bankruptcy, Insolvency, and Execution;" and what are his intentions in reference to the existing Law of Bankruptcy and its administration, and generally in reference to the Law of Debtor and Creditor and its amendment?

The ATTORNEY GENERAL said, it was not the intention of the Government to proceed with the Bill in question, but it was their intention, regarding, as they did, the whole subject of the Law of Debtor and Creditor, and particularly the Law of Bankruptcy, as now being in a very unsatisfactory state, to give the entire question the most anxious consideration during the recess, with the view to the introduction of a comprehensive measure either in that or the other House of Parliament early in the ensuing Session.

BERINGTON'S KNAPSACKS.—QUESTION.

Captain LEICESTER VERNON said, he rose to ask the Secretary of State for War whether Knapsacks, with Berington's slings attached, have not been tried at Aldershot, and whether any Report respecting them has been received at headquarters?

Mr. SIDNEY HERBERT said, Mr. Berington's Knapsacks had been tried at Chobham in 1855, and subsequently at Aldershot, and a Board of General Officers had reported that in their opinion the disadvantages attaching to them were greater than their advantages. Mr. Berington afterwards made some alterations in his plans to obviate those objections; but still the Knapsacks were objected to by the Inspector General of the Medical Department on the ground of the pressure upon the chest occasioned by the straps by which they were secured. He (Mr. S. Herbert) believed that the matter was not one to be decided by a Board of General Officers, but by the men themselves, and that it would be desirable to issue a large number of the Knapsacks on trial, leaving the men themselves to say which they preferred.

Sir George Lewis

EXAMINATIONS FOR THE ARMY.

QUESTION.

In reply to Colonel North,

General PEEL said, that he had made no change whatever in regard to admission into the Army except with the advice of the Council on Education. It was on the advice of that Council that the rule was made with regard to allowing rejected candidates to be examined again.

SALUTING RELIGIOUS PROCESSIONS.

MOTION POSTPONED.

Mr. SIDNEY HERBET said, he hoped his hon. Friend the Member for Wigtonshire (Sir Andrew Agnew) would not press the Motion of which he had given notice relative to saluting religious processions. He made this appeal with the more confidence because with reference to the salutes at Malta, of which complaint had been made, and in regard to which some acrimonious debates had taken place in that House, a very great change had been made during the present year, which it was hoped would remove objections. At the same time a feeling of irritation prevailed in the Ionian Islands, and there had been some small indications of irritable feeling between the population of Malta and the garrison. He should be sorry to see such a feeling augmented, and fresh fuel added to it by anything that might be said in that House. Since the arrangement made between Lord Hill and Lord Derby (when the noble Lord was Secretary for the Colonies), an alteration had been made. The late Secretary of State for the Colonies submitted a despatch to the hon. and gallant Gentleman (General Peel), which was approved by him, directing the troops not to turn out or take part in any religious ceremonies. Orders were accordingly sent out that the troops were to pay the usual marks of respect to any persons engaged in a procession of a religious character, but they were not to turn out the guard to them or salute them. At present the Archbishop of Malta was saluted in his capacity as a civil dignitary of the island, and if he were taking part in any religious procession no distinction was made in consequence of his being there. He trusted that under the circumstances his hon. Friend would not press his Motion.

Sir ANDREW ANGNEW said, that after the appeal made to him by the right hon. Gentleman he would not press the Motion that stood in his name. He might, however, take an opportunity of alluding to the subject again in Committee of Supply. He did not concur in the idea that the concessions made would conciliate the populations of Malta and the Ionian Islands. He would, however, in considerations of the appeal made to him, postpone his Motion for a fortnight.

HONG KONG.
PAPERS MOVED FOR.

MR. EDWIN JAMES in rising to move for Copies of certain Papers relative to Hong Kong, said it would be necessary to make a few remarks, in order to render intelligible to the House the grounds upon which he asked for the production of the Correspondence. Mr. Chisholm Anstey having been appointed Attorney General of Hong Kong, arrived in the island in January, 1856. On his arrival at Hong Kong, Sir John Bowring was Governor; Mr. Caldwell was the Registrar General and Protector of Chinese, and a justice of the peace; Dr. Bridges was Colonial Secretary, and a member of the Executive Council. Mr. Anstey had no very agreeable prospect of the duties before him, for two days after his arrival Sir John Bowring intimated to him the corrupt state of the island, and claimed his support in stemming the tide of corruption. In July, 1857 a young American was tried for piracy at Hong Kong. The trial was described in an interesting letter by Mr. Wingrove Cooke, who was then the correspondent of *The Times* in China. This young American was not like the Corsair of Byron. He was a young and amiable man with no beard upon his cheek. As he stood pleading for his life, he made distinct charges of complicity in piratical expeditions against Mr. Caldwell, the Registrar General of the colony, who was alleged to be in partnership with Machow Wong, a species of Chinese Jonathan Wild. Mr. Anstey, as Attorney General, conducted that trial, and in consequence of the charges incidentally made against Mr. Caldwell, Mr. Anstey, on the 13th of May, resigned the justiceship of the peace. The letter communicating this resignation was the first paper for which he asked. In this letter Mr. Anstey stated the grounds upon which he resigned, and alluded to the charges made against Mr. Caldwell by the young American. An inquiry was directed by Sir John Bowring to be made into the charges against the authorities of Hong Kong, and on the 20th of May a Commission was issued to certain authorities at Hong Kong, directing them to inquire whether there was any ground for these charges. The Commission found that certain charges were proved and established, and that Mr. Caldwell had been a partner in a lorcha, which had gone on a piratical expedition under the command of Machow Wong. There was no proof that he had shared the plunder, although it was proved that he shared the complicity of fitting out the lorcha upon that expedition. Now, as the Government of this country had gone to war with China on the question of a lorcha this transaction necessarily excited a great deal of interest in the colony. Machow Wong was afterwards indicted and convicted of piracy, and sentenced to transportation, although, through the influence of Mr. Caldwell, he was detained in the colony a year before the sentence was carried into effect. He had also to move for the papers in the case of "The Queen *v.* Tarrant," tried at the November sessions (1858) of the Hong Kong Supreme Court. The statements in the report of the Commission led the editor of the *Friend of China* to publish an attack upon the Government of Hong Kong, in which he charged the Government and Mr. Caldwell with surpressing certain papers found in the possession of Machow Wong. These papers were said to be burnt, and the editor of the *Friend of China* made a manly and straightforward charge against Mr. Caldwell of having suppressed these papers. A criminal information was filed in November against Mr. Tarrant, of the *Friend of China*, who justified that statement on the ground that it was true, that it was published for the common good, and that the Government had suppressed the papers. The case was tried by a special jury of bankers and merchants. The jury found that the justification was true, a verdict was given in Mr. Tarrant's favour, and the Government were condemned to pay the costs. Mr. Anstey, shortly before that trial of "The Queen *v.* Tarrant," received an intimation that he was suspended from his office of Attorney General, and that suspension was fully confirmed by the Colonial Government at home. As a matter of justice to an individual and for the sake of the proper administration of justice in the Colonies, he hoped there would be no objection to the production of the papers.

Motion made, and Question proposed,—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of all Correspondence, Judge's Notes, or other Papers, on the following subjects, or any of them:—

"1. The resignation of the Justiceship of the Peace for Hong Kong, by Mr. Thomas Chisholm Anstey, sent in to the Local Government on the 13th day of May, 1858.

"2. His suspension on the 7th day of August, 1858, from the Attorney Generalship of the Colony of Hong Kong, and from the office of Counsel to the Superintendency of Trade in China.

"3. The case of the Queen *v.* Tarrant for Libel, tried at the November Sessions (1858) of the Hong Kong Supreme Court (Criminal side).

"4. The charge of alleged complicity of Mr. Caldwell, J. P. and Protector of Chinese at Hong Kong, with Hong Kong pirates.

"5. The charges made against the acting Colonial Secretary (Dr. Bridges) with reference to the foregoing subjects, and also the opium farm monopoly.

"6. The charges made against the Lieutenant Governor of Hong Kong (Colonel Caine) and his Chinese Comprador, with reference to extortion and bribe-taking, in the years 1846 and 1848.

"7. The proceedings against Mr. May, Superintendent of Police at Hong Kong, Mr. Tarrant, Registrar of Deeds there, and the Police Court Interpreter Tong Akou, and the dismissal of the Police Court Interpreter Assam, for having severally given evidence against the said parties, or any of them.

"8. The Imperial regulations (if any) by which the several suspensions or removals before mentioned were authorized."

MR. CHICHESTER FORTESCUE said, he did not understand it to be the object of the hon. and learned Gentleman to raise any discussion on the subject, as that could only take place satisfactorily after the papers which were now called for had been placed before the House. The question raised by the hon. and learned Member was twofold in its nature, and he thought these two questions ought to be kept distinct. One was with regard to the propriety of Mr. Chisholm Anstey's suspension from the office of Attorney General of Hong Kong, and of its confirmation by the late Government; and the other was with regard to the grave and serious charges against Mr. Caldwell and other officials in the colony. The Governor and Executive Council had suspended Mr. Anstey from the office of Attorney General, and the late Secretary of State for the Colonies had confirmed the suspension. No doubt the Government had refused to communicate to Mr. Anstey the grounds upon which that decision was arrived at, because they could not do so without, in fact, communicating the despatch of the Secretary of State to the Governor of Hong Kong. If Mr. Anstey had remained in the colony, no doubt that despatch, or its substance, would have been communicated to him; but he had left, and it was thought not advisable to communicate it to him in the absence and behind the back of the Governor. Sir John Bowring had, however, now arrived in this country, and his noble Friend at the head of the Colonial Office was now ready to convey the substance of the despatch to Mr. Anstey, and to receive any observations which he might have to make upon it. With respect to the charges brought by Mr. Anstey against other officials at Hong Kong, and especially against Mr. Caldwell, the late Government were of opinion that the graver and more serious portion of those charges had broken down before the Commission of inquiry; but at the same time they felt that quite enough had been disclosed in the course of the inquiry not only to warrant, but to require, a strict and searching investigation to be conducted upon the spot. In that view the present Government concurred. A new Governor was about to proceed to Hong Kong—a gentleman who had already done good service in another colony, but was entirely unconnected with Hong Kong or with any of the quarrels which had unfortunately arisen, and a new Attorney General, Mr. Adams, will also soon arrive there. The Governor would be instructed to institute a rigorous inquiry into the whole system at Hong Kong, and into the conduct of the parties against whom charges had been brought. He trusted this would be satisfactory to the hon. and learned Gentleman. With respect to the papers, the Secretary of State for the Colonies had no wish to keep back from the public anything which could throw a light upon all these transactions, but his noble Friend had yet found it utterly impossible to make himself master of the whole mass of correspondence. His noble Friend was, however, prepared to give all information which a sense of public duty would allow, and he (Mr. Fortescue) would undertake to communicate with the hon. and learned Gentleman within a fortnight as to what papers should be produced. Under these circumstances he hoped he would withdraw his Motion for the present.

MR. EDWIN JAMES thought the request of the hon. Gentleman was a reasonable one, and would withdraw his Motion.

Motion, by leave, *withdrawn.*

MUNICIPAL CORPORATIONS BILL.

LEAVE. FIRST REDAING.

MR. HADFIELD moved to introduce a Bill to amend the law regulating municipal corporations. By the Municipal Reform Act all advowsons belonging to the corporations were to be sold, and until this was done, the Bishop of the diocese had the appointment. Notwithstanding this members of corporations were still required to make the declaration that they would do nothing injurious to the Church. It should be left to their fellow-townsmen to say whether the moral character of men entitled them to become corporators without requiring any declaration from them.

MR. BAINES seconded the Motion.

MR. DARBY GRIFFITH said, that as the hon. Member proposed to bring in a Bill to amend the Municipal Corporations Act, he begged to call attention to the fact, that the municipal franchise had to a great extent fallen into the hands of a class of persons who were not able themselves to pay their rates.

SIR GEORGE LEWIS said, that in assenting to the introduction of the Bill he wished it to be understood that he entertained serious doubts whether the alterations proposed ought to be made, and whether there would be sufficient time for the consideration of any material change in the existing law in the course of the present Session. As he understood the matter the hon. Gentleman proposed, first, to alter the settlement which was come to when the Test and Corporation Acts were repealed. When the Bill came to a second reading the hon. Gentleman might, perhaps, be able to show ground for the change he proposed; but he wished to point out that it involved the alteration of a measure which underwent much consideration at the time, and was in the nature of an agreement between different parties in the State.

MR. HADFIELD said, he would withdraw from the Bill the clauses relating to that subject.

SIR GEORGE LEWIS: In that case he would only say that the other part of the Bill would receive the consideration of the Government.

Leave given.

Bill to amend the Law for the Regulation of Municipal Corporations in England and Wales, *ordered* to be brought in by Mr. HADFIELD, Sir MORTON PETO, Mr. KERSHAW, and Mr. BAINES.

Bill *presented* and read 1°.

CIVIL SERVICE COMMISSION.

ADDRESS MOVED.

MR. BAILLIE COCHRANE rose to move—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to instruct the Civil Service Examiners that all persons who entered any service or profession prior to the 21st day of May, 1855, to which service or profession the present system of examinations is applicable, shall be considered eligible for promotion without being subjected to any examination."

He trusted that a proposition so just and equitable would not meet with any opposition on the part of the House. He had fixed upon the date of the 21st of May, because that was the day on which the Order in Council was issued, which appointed the Commissioners for conducting the examination of young men who were candidates for employment in the public service. Now, so much hardship had been occasioned by the severe manner in which the principle of examination had been carried out, that he was sure that when the House was aware of the facts, they would gladly accede to his Motion. He might state case upon case of young men who had entered different public offices as temporary clerks, three, four, or five years previous to the Order in Council, and who, subsequent to 1855, on their being appointed to permanent clerkships, had been put in competition with other gentlemen who had the advantage of having recently left school. The consequence was that they, though not inefficient, but because they had a smaller number of marks than the gentlemen they were put in competition with, lost their promotion and were compelled to leave the service they had selected at an age when it was impossible for them to engage in a new profession. It was desirable not to state names publicly, but he was prepared to communicate them to the Chancellor of the Exchequer. One case had been brought to his knowledge that day. It was the case of an officer who had conferred very great and eminent services on this country, and whose son had been put into one of the public offices about nine years ago as a temporary clerk. Last year this gentleman's son went up for examination, and, having three or four other gentlemen appointed to compete with him, he was defeated, and was, he believed, out of the profession at the present moment. He had received yesterday a letter, in which the writer called attention to the position in which these persons were placed. The writer, whose name he should be happy to communicate to the Chancellor of the Exchequer privately, if it were required, pressed upon him the vast importance of his present Motion, as on its success depended the hopes of many intelligent and well-educated youth, who were well fitted for and tried in the service, and directed his attention to the position in which those young gentlemen found themselves placed, with many others similarly situated. In one instance, the writer proceeded to say, a gentleman entered the Admiralty as temporary clerk in July, 1854, during the pressure of business consequent on the late war; he was constantly employed, and in some months until such a late hour of the evening, that it was impossible for him to devote time to the studies which the Civil Service Commissioners required; and now he found that owing to the competition coming into operation, which he never dreamt of when he entered the service, he had been passed over again and again, simply because his school knowledge could not be so rapidly displayed in examination as that of competitors. He would mention another case of equal hardship. A gentleman had been eight years in one office, when he was promoted to another. This was only a fair step of promotion after his previous period of hard work; but, not having had the opportunity, like his competitors, of getting up the information which was acceptable to the Commissioners, he lost in the competition, and was thrown out of the profession. It might be said that temporary clerks were not on the establishment; but if that were so it ought to be publicly stated, that people might know on what terms their relatives entered the public service. He would take the case of an unpaid *attaché*, whom no one could say was not in the public service. There were among the class of unpaid *attachés* gentlemen who had worked hard for seven, eight, or nine years, who had been sent to unhealthy climates, and who were not aware at the time of their appointments that before they were promoted they would be subjected to a stringent examination. Had they been aware when they entered the service that they would be required to submit to such an ordeal, they might have chosen some other profession; but now, if they failed in passing the examination, they would be thrown out of the public service when they had reached an age at which it might be impossible for them to adopt any other profession. Now, he was not speaking in a spirit of hostility to the system of examination — on the contrary, he thought it most fortunate for the country that—though so late as 1855—a system of public examination should at length have been instituted for the military and civil services. No one who read the Reports of the Examiners could fail to appreciate the conduct of those gentlemen who had maintained the necessity of a system of examination. On the first examination, in answer to some of the questions, the following answers were given:—That the Roman walls in England were built to keep the Tartars from invading the country, and were so thick that two carriages could be driven abreast; that the great plot which was discovered in the year 1678 was the South Sea scheme; that William Wallace invaded England in the reign of Henry VIII.; that the battle of Barnet was between Cromwell and Charles I., Culloden between the Earl of Leicester and Edward IV., and Marston Moor between Bruce and Edward IV.; that Marseilles is a town upon the Rhine; that Germany is in the Caspian Sea; that the Thames rises in the German Ocean; that Zante is the kingdom most recently added to Europe; and that the Isle of Wight is a part of Scotland. It was quite inconceivable how gentlemen could have ventured to go up for examination to give—unless in joke—such extraordinary answers. He thought, however, that many of the questions which were put were scarcely fair to the candidates. He would read to the House some of the questions put to persons who were applying for admission to the Irish police force:—

> "Explain fully the meaning of the following geographical terms:—'Peninsula,' 'promontory,' 'estuary,' 'delta,' 'plateau,' 'watershed,' and give three instances of each. Describe the position of the following places:—St. Helena, St. Albans, Corfu, Toronto, Salisbury, Copenhagen, Agra, Vienna, Inverary, Singapore, Stirling, Cairo, Nillala, Meerut, Hastings, Owhyhee. Write a geographical description of any one country of Ancient Europe, stating its boundaries, physical features, products, manufactures, divisions, and principal towns."

Now, he thought it would be admitted that these questions were scarcely less absurd than the answers he had previously read; and however desirable it might be that this kind of knowledge should be possessed by a police constable, he doubted whether it was necessary for the preservation of the peace in Ireland. It might be so that the examinations to which unpaid *attachés* were subjected were such as gentlemen in their position ought to be competent to pass, but he confessed that on looking over the examination papers he did not think there were thirty Members of that House who could answer many of the questions. It must be remembered that candidates for appointments as unpaid *attachés* were generally lads of seventeen or eighteen years of age, but they were asked such questions as these:—

> "Explain fully the nature of the important change that was introduced in the tenure of land in Prussia in 1811, and its effects both present and probable. Write a geographical description of Denmark, mentioning its situation, extent, population, features, mineral, and vegetable products. Explain the following terms:—'Amter,' 'Stifter, Folksthing amtman,' 'Tons of hardcom, Landsting.' Discuss the most important political questions which have agitated Ireland for the last thirty years, mentioning the enactments they may have led to, and the eminent men who have taken a prominent part in connection with them. What was the constitution of the Canadas established in 1791? Mention the most important alterations which have been subsequently introduced."

Now, though he himself (Mr. Cochrane) had studied the history of our Colonies to some extent, he really should not like to be called upon to answer such questions as these. Candidates had also been required to write a letter to a friend describing how they had been employed during the last year, and what were their hopes of entering the civil services. Some of these questions really seem to have been devised in a spirit of raillery rather than seriously. As he had before said, he was not opposed to the system of examination, but he thought that if next year some hon. Member of consideration and influence would move for the appointment of a Select Committee to inquire into the effect of these examinations upon different branches of the public services the investigation might not be without advantage. He thought it was very doubtful whether the result of these examinations had been so satisfactory as they were led to suppose. It might be so that the Civil Service Examiners were not themselves responsible for the character of the examinations, which were probably directed by the Secretaries of State; but he thought recent circumstances showed that the Secretaries of State had urged the Examiners not to render their examinations too stringent and severe. He found the late Secretary for War, General Peel, complaining of the number of commissions vacant in the Household cavalry, the Life Guards, the cavalry of the line, and the infantry, and stating that it was evident that under the present system of examination the supply would not keep pace with the demand; Lord Malmesbury had made a similar complaint with regard to the Foreign Office, and had stated that within six months four young men had been rejected, all of whom he believed were fully competent for the duties of *attachés*, two of them being remarkable for general accomplishments, and especially for their knowledge of languages. The noble Earl added that it appeared not to be premature or disrespectful towards the Commissioners to ask if they were not straining the cord too tightly, and if not, how under such a system the Queen's service in diplomacy was to be recruited and carred on. Although he (Mr. Cochrane) thought some examination was necessary for these positions previously to 1855, he feared they had rushed into an extreme in the opposite direction. He might remind the House that, under the old system, the character of their diplomatic agents had not been inferior to that of the diplomatists of any country. He need only mention such names as those of Lord Ponsonby, Lord Stratford de Redcliffe, Lord Cowley, Sir Henry Bulwer, Lord Napier, and Lord Lyons. They could not forget, either, that previous to the institution of examinations for commissions in the military service, the officers both of our army and navy, though they had never undergone this examination, had never failed to vindicate the national honour. He only asked the House and the Government to do justice to a most deserving class of young men who had entered the public service previously to the introduction of examinations, by agreeing that the new regulations should not have a retrospective effect.

Motion made, and Question proposed,—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to instruct the Civil Service Examiners that all persons who entered any service or profession prior to the 21st day of May, 1855, to which service or profession the present system of examinations is applicable, shall be considered eligible for promotion without being subjected to any examination."

THE CHANCELLOR OF THE EXCHEQUER: My hon. Friend who has submitted this Motion has very ingeniously stated that a considerable portion of his speech did not relate to it; and it is material that he should himself have admitted this, because the same portion of his address—if it be not invidious to draw a distinction between different parts of it—was the one that was most effective and that seemed most to amuse the House; for the hon. Gentleman was successful in provoking the laughter of hon. Members when he recited certain questions put in certain examinations. On the other hand it is important to recollect that all this has no connection whatever with the Motion now before us. As part of a general discussion on the system of examination established under the Civil Service Commissioners it might be well to quote such isolated questions. At the same time I venture to remind the House that we have been very busy of late years, and with great public advantage, in urging and even compelling the Universities to adopt examination where they had not adopted it, and to extend it further where it already existed; and few indeed of the examinations in the Universities, if tested by particular questions picked out ingeniously for the purpose, and announced before an audience which necessarily has not had time to look at the matter in all its bearings, would not probably lead to the inference that those who had put them had been guilty of great want of judgment and had pushed the system to excess. The truth is, when the time comes for inquiring into the system now in operation, it must be inquired into much more at large; and then these remarks of the hon. Gentleman, which are irrelevant to this particular and limited Motion, may be perfectly germane to the discussion. It seems to me that my hon. Friend has very exaggerated ideas of the hardship or injustice which has been done to any one under the working of this scheme; and I think the time that has elapsed since it was established, and the paucity, or the almost total absence of complaints to which it has given rise, may show that the Commissioners have not been guilty of that tendency to overstrain their system which he seems to impute to them. Indeed, I for one am convinced that if it be true that its present working is imperfect, it will deserve consideration whether this imperfection is not owing to the very timid and hesitating manner in which the principles on which the Commissioners wish to found it have been applied. My hon. Friend knows very well that in its present position the system is only in a stage of transition—that it does not rest on the principle of pure competition, nor, indeed, upon any one given principle which is so fully and fairly brought to an issue that you can condemn or absolve it by that principle; but that it is a mixture of many methods, applied according to the varying opinions of the heads of different Departments, and not according to any rigidly consistent or abstract rules; but operating on the whole usefully and in the manner in which, in England at least, a great many practical problems of Government are usually settled with greater satisfaction to the public than they otherwise would be. I now come to my hon. Friend's Motion itself. He moves:—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to instruct the Civil Service Examiners that all persons who entered any service or profession prior to the 21st day of May, 1855, to which service or profession the present system of examinations is applicable, shall be considered eligible for promotion without being subjected to any examination."

In the first place I do not think my hon. Friend, in the limited ground he has chosen, has shown sufficient reasons for any interference on the part of this House; and, in the second place, if the House is to interfere at all, I think it is quite clear that it ought not to be by a Motion like this. He will allow me to remind him that, where it is sought to deal with a great public abuse which prevailed before independent examinations were established, the general tendency of speeches such as his is much more to discredit the attempts made to cure that abuse than to discredit the abuse itself. No doubt his admission as to the necessity of some examination is perfectly sincere; but it is merely parenthetical, all his energy and fire being reserved for the supposed excesses of the Commissioners, who are labouring under circumstances of no ordinary difficulty to introduce a purer system of admission to the public service. What, then, are his grounds for interference? He assumes that fair consideration has not been shown in the application of the new rules to vested interests. And how does he show that particular classes of persons require protection? He cites two sets of cases: first, that of persons who were employed as temporary clerks in the public offices at the time when the Order in Council of the 21st of May, 1855, did not exist, and who are subjected to examination before they can be appointed permanent clerks; and, secondly, the cases of gentlemen who were appointed to be unpaid *attachés* prior to the same Order in Council, and who on passing over to the position of paid servants of the public have to undergo an examination which did not exist when they became unpaid *attachés*. Now, I think neitherof these instances furnishes any ground for the interference of this House. I shall take first the case of the *attachés*, which will also illustrate the other remark I have to make—namely, that the Motion of my hon. Friend is hardly suited to the object he has in view. He desires the House to pray Her Majesty to be pleased to instruct the Civil Service Examiners to protect certain persons against examinations which are supposed to do them injustice. It would surely be strange if Her Majesty were to instruct those Examiners to disobey the orders of Her own Secretary of State. The Civil Service Examiners have no independent authority whatever in this matter. Whatever authority they possess is derived either from the heads of Departments — that is, in the case of the *attachés*, from the Foreign Secretary—or else from the Order in Council passed by Her Majesty upon the advice of the Government, and for which the Government, as a whole, are responsible. And all that the Commissioners are bound to do is strictly to adhere to the directions they have received. If they receive orders from the Foreign Secretary, on those orders they must act until they have been altered or retracted as formally as they were originally given. If they are acting under the provisions of the Order in Council, they must continue to execute those provisions even, if need be, against the Secretary of State, until Her Majesty has been advised to change what She was previously advised to adopt. In regard to the *attachés*, then, the Civil Service Examiners have simply carried out the instructions given by Lord Clarendon in December, 1855, nearly four years ago; and, in point of fact, the great bulk of those then unpaid *attachés*, and on whose behalf, if on behalf of any one, complaint might have been made, have become paid *attachés* and underwent an examination before their promotion. The hon. Gentleman has not shown that there is anything unreasonable in the direction given by Lord Clarendon, nor is it likely that any one else will be able to prove it so. The matter is obviously one in which, before this House interferes to qualify the operations of a Secretary of State, there should be something in the nature of a formal and careful inquiry. The House itself is the proper tribunal, and therefore this cannot be made the subject of an appeal to Her Majesty. I am not prepared to admit that there is any *primâ facie* ground for supposing, much less for asserting, that the declaration of Lord Clarendon is unreasonable. Nobody could have taken a calmer or more moderate view of the whole subject of these examinations than that noble Lord; but he was desirous that, although not unrestrictedly competitive, the system should be a reality, and no longer a form or a screen, and therefore he said that unpaid *attachés* should be examined in a particular manner, and also that paid *attachés* should undergo another examination. Is there any breaking of faith with a man in requiring him to prove that he is fit for the position he seeks to occupy? It appears to me, then, that this part of the case, as a ground for this Motion, is entirely untenable. I think all fair regulations to secure competency are applicable to those who enter the permanent service, even though adopted after they have entered that permanent service; but here the case is that of persons who had not entered the permanent service at all. We all know it is not uncommon for young men to become unpaid *attachés* in order that they may secure a few months' residence under the most favourable circumstances at a foreign Court, and this without any intention to enter the permanent service. If, however, they afterwards wished to become paid *attachés*, they have to undergo an examination as to their competency; and the hon. Member has not shown that such a condition goes beyond what is perfectly reasonable. My hon. Friend also referred to the case of temporary clerks, and proposed that they should have the same rights, as far as examination was concerned, as the members of the permanent service. I do not think the House will adopt that proposition. A temporary clerk is that which his name declares him to be. He has no right of succession whatever; he is employed from time to time; the conditions of the public compact with him are amply and literally fulfilled, and we are perfectly entitled to ask before he is allowed to cross the threshold of the permanent service that he should be subjected to an examination in order to test his competency. My hon. Friend alluded to one or two particular cases, but stated that for obvious reasons he could not give the names. I do not blame him for withholding the names, but he knows perfectly well that nothing could be more unfair than to take the character of an examination from the impressions of rejected candidates. It is an *ex parte* statement, where the parties who make it may possibly be under the action of strong feelings, and where, at all events, they must be under the immense disadvantage of imperfect information. If my hon. Friend were to examine into the particulars of the cases which he has adduced, I suspect he would find, when he heard the other side, that the facts are somewhat different from what they naturally appear to him to be from the representations of persons interested in the rejected candidates. My opinion is, therefore, that the Motion before the House is objectionable, not only in point of form, but upon its merits. I believe it would be ruinous to the public service. The Commissioners have reduced their demands within the narrowest limits compatible with the efficiency of the public service; but, even were it otherwise, I think my hon. Friend has not raised the question in a convenient form, inasmuch as, instead of asking the House to go into the general merits of the civil service examination, he takes his ground merely upon the plea of the vested interests of certain parties. For these and other reasons I hope he will not think it worth his while to press his Motion to a division.

Mr. W. WILLIAMS believed too much importance was attached to this system of examination in the public department. It certainly had had the effect of preventing persons with interest who could hardly read or write from getting appointments; but the object would be much better attained by adopting the same course in the selection of public servants as was taken by merchants and manufacturers in the choice of their clerks. That would be better than asking those unaccountable and foolish questions. If a man had been some years in the public service, the inquiry should not be whether he could answer outrageous and out-of-the-way questions, but whether he had properly discharged the duties which had been before intrusted to him.

Mr. MONSELL said, the hon. Gentleman who introduced the Motion had entirely mistaken the object of the Civil Service Commissioners in putting the questions referred to. The object was not to ascertain whether a man had special knowledge of a particular subject, but they were simply a test of his intelligence. One question asked was, what was the most important measure with regard to Ireland brought forward for the last thirty years. He would say nothing had been more important than that of competitive examination; it had given the greatest possible stimulus to education. In every public office the distinction between temporary and permanent clerk was well known, and could not be done away with. He hoped the Motion would not be pressed; but if it was he should give it his most strenuous opposition, as he believed it was intended as an attack upon the whole system of examination.

Mr. CLIFFORD rose for the purpose of calling the attention of the House to a view of this subject which had not yet engaged the public notice, but in which great injustice was often wrought by competitive examination. Three candidates would be put to compete for the same office, and the first of the three would gain his thousand marks, whilst the second and third might have respectively 900 and 800 marks, and therefore be unsuccessful. The following day three other candidates would be put to compete, and the successful candidate would have but 700 marks, and yet be successful; so that the second and third of the former day appeared as plucked men, whilst the inferior man of the second day was successful.

Captain JERVIS thought it very hard that when a temporary clerk was appointed to the permanent establishment the time which he had served as a temporary clerk should not be counted to him.

Viscount PALMERSTON: This matter is one which as of necessity attracted a great deal of my attention, and I have no hesitation in saying that though, like other arrangements, there may be some defects in the system, it has tended very much to the advantage of the public service. It is quite true that it has frequently operated to shut out from the public service young men who might have been perfectly competent to perform the duties of the office for which they were competitors; but, on the other hand, it is quite certain that those who have succeeded have been in every way young men who were peculiarly qualified for the discharge of their duties. I have had occasion frequently to represent to the Civil Service Commissioners that some of the questions were open to that sort of criticism which the hon. Gentleman opposite has passed upon them —namely, that the knowledge required to answer them was not essential to the performance of the duties of the office competed for; but the answer which I have received from them is one to which it would be difficult to make any reply. They stated that their course was to examine upon certain matters of which a knowledge was essential — such as English composition, arithmetic, spelling, and some amount of mathematical knowledge; but then, they say, "it happens that the four, five, or six young men who are examined in these matters are apparently equally well grounded in them; and we add some other questions upon other matters to test their general intelligence, and to see which of them have gone beyond these elementary matters. These supernumerary questions are not those upon which any young man would be rejected, but they serve to test the comparative intelligence of the young men and the amount of education which they have received." That appears to me to be a sufficient and satisfactory answer. The young man who has made a mistake in arithmetic or spelling cannot be conscious of it, or he would not have made it; but he is perfectly conscious of not having been able to answer one of those redundant questions, and he goes home to his friends and says he has been rejected because he could not answer one of these questions—could not tell where Owyhee was, or something of that sort. That is a mistake. He is rejected, not because he is unable to answer those redundant questions, but because he has failed on one of the elementary matters, the knowledge of which was essential to the performance of the duties of the post which he sought. There is undoubtedly a prejudice in some quarters against the system of competitive examination, but I think it would be done away with if people were aware of the real principle on which it is conducted. Although the system may operate harshly upon some young men, on the whole it has given a stimulus to the system of education all over the country; it has set masters of schools, parents, friends, and guardians to look more closely into the process of education, and by that widespread operation it must tend to improve immensely the intelligence of the country. With regard to this particular Motion, I trust the hon. Member will not think it necessary to press it, because it is quite clear that those young men who have taken temporary clerkships knew very well when they took them that they were temporary, and they have no right or just claim to be transferred to the permanent establishment without going through the process of examination which is established for all other permanent clerks. An unpaid *attaché* is perfectly aware that his future promotion in his profession depends upon his conduct in that position, and I cannot see that there is any hardship in requiring him to go through the same examination as other *attachés.*

MR. BAILLIE COCHRANE, in withdrawing the Motion said, the discussion would have the good effect of making it known to the public that those who put their sons in the position of temporary clerks must never expect to have them transferred to the permanent establishments.

Motion, by leave, *withdrawn.*

PRINTING COMMITTEE.

RETURNS.

LORD ROBERT CECIL in moving that it be an instruction to the Printing Committee that on every Return ordered to be printed by this House, in addition to the date of the order for printing, there be also printed the date at which such Return was actually sent to press, said his object was to fix the responsibility of the great delays which occasionally took place in the delivery of Returns. For instance, an important mercantile Return ordered on the Motion of the Vice President of the Board of Trade on the 2nd of August, 1858, had only been presented on the 2nd of July last.

Motion made, and Question proposed,—

"That it be an instruction to the Printing Committee, that on every return ordered to be printed by this House, in addition to the date of the order for printing, there be also printed the date at which such Return was actually sent to press."

MR. WILSON said, that perhaps the noble Lord was not aware that when papers which were ordered were not presented before the close of the Session the order became a dropped order. In order to obviate this inconvenience the practice was to present the papers, and they were then printed during the recess. In printing financial papers there was another reason for the delay, as it was necessary to send them back to the office to examine the figures by other Returns. The Motion, if carried in its present form, would often affix blame very unjustly on the printer, who was not responsible for the delay in correcting. If the Motion was withdrawn he would be glad to communicate with the noble Lord on the subject.

MR. ROEBUCK wished to ask the right hon. Gentleman a question. Many most useless Returns and Reports were printed at a great expense, and he would suggest that a check might be put upon such waste by endorsing on each printed Return the cost of the printing.

MR. WILSON: No doubt such information would be extremely desirable, and he, as a member of the Printing Committee and of that House, would be very glad if the suggestion of the hon. and learned Gentleman could be adopted; but he was afraid that until it was known how many copies of a Return were to be printed the printer would not be able to state what the cost would be.

MR. BLACKBURN said, that if the Motion stood "corrected Return," no blame could attach to the printer.

LORD ROBERT CECIL said, he would withdraw the Motion for the present, and communicate with the right hon. Gentleman on the subject.

Motion, by leave, *withdrawn.*

ENDOWED SCHOOLS BILL.

NOMINATION OF COMMITTEE.

MR. DILLWYN nominated the Members to serve on the Select Committee on this Bill. The hon. Gentleman said he had endeavoured to select such names as would be agreeable to both sides of the House.

On the name of Mr. DILLWYN being proposed,

COLONEL DUNNE said, although the Bill extended to Ireland not a single Irish Member was put on the list first suggested by the hon. Gentleman; and in his amended list there were only two Irish Members. This objection applied not only to this Committee but to all Committees, the Irish Members not being fairly represented. On the Committee relating to Government contracts with Steam-packet Companies Ireland was not fairly represented, much as she was interested in that question.

MR. SPEAKER severally put the names of Mr. DILLWYN, the ATTORNEY GENERAL, Lord STANLEY, and Sir JAMES GRAHAM, which were agreed to. The name of Mr. LOWE having been put,

COLONEL DUNNE proposed to substitute the name of Lord NAAS.

MR. DILLWYN said, he had no wish to make the Committee exclusive. As he was informed by a report of what took place elsewhere last evening that a Committee was now considering the question of endowed schools in Ireland, he should meet the objection of the hon. and gallant Member by confining the operation of this Bill to Great Britain.

THE ATTORNEY GENERAL begged to assure the House that in its present shape the Bill did not extend to Ireland, and did not affect any school in that country in the slightest degree.

MR. LONGFIELD contended that Irish interests were distinctly embraced in this measure—first, because that portion of the kingdom was not distinctly exempted; secondly, because the question of endowed schools was one in which she was vitally interested; and thirdly, because, though the operation of the present Act might not immediately extend to Ireland, it would be impossible that its principle could long be confined to this country.

LORD ROBERT CECIL inclined to the opinion that the Bill, as at present worded, would apply only to England, because the Church of England was mentioned. Although the phrase was not a legal one, it was clear that the Church of England was not the Church of Ireland.

MR. LEFROY thought the Bill as it stood would be general in its operation; and if it were to extend to Ireland he should certainly ask for the same extension in favour of Trinity College, Dublin, as had been already extended to Oxford and Cambridge Universities.

MR. ROEBUCK said, the House would easily get out of the difficulty by inserting a clause at the end of the Bill, as was very frequently done in other cases, declaring that it should not extend to Ireland.

MR. M'MAHON thought that if the Bill was good for England it must be good for Ireland. He protested against this exceptional legislation, and regretted that the hon. Member should have consented to curtail the operation of the Bill to get off the difficulty of altering a few names.

MR. BUTT concurred in thinking it inconvenient and anomalous to exclude Ireland. The principle of the Bill was to alter the law which assumed that "honest and godly men" meant members of the Established Church. It would be impossible to sustain a privilege in favour of the Established Church in Ireland if it were given up in England. He suggested that the Committee, as now proposed, should be nominated, and two or three Irish Members added on a future occasion.

COLONEL DUNNE was quite ready to withdraw his Motion if four Irish Members were added.

MR. DILLWYN said, that on a future day he would move the addition of two Irish Members.

COLONEL DUNNE: Four.

MR. BLACKBURN said, that as the Irish Members were only one-sixth of the House, four in a Committee of sixteen would be more than a due proportion.

COLONEL DUNNE said, that in the present inadequate state of Irish representation he would assent to three Members being added.

Select Committee *nominated* :—

Mr. DILLWYN, Mr. ATTORNEY GENERAL, Lord STANLEY, Sir JAMES GRAHAM, Mr. LOWE, Sir HUGH CAIRNS, Sir STAFFORD NORTHCOTE, Mr. PULLER, Sir ERSKINE PERRY, Mr. ADDERLEY, Lord ROBERT CECIL, Sir JOHN PAKINGTON, Mr. HENRY AUSTIN BRUCE, Mr. HOPE, and Mr. BAINES :—Five to be the quorum.

PACKET AND TELEGRAPHIC CONTRACTS COMMITTEE.

NOMINATION OF COMMITTEE.

THE CHANCELLOR OF THE EXCHEQUER : I beg to move that the Committee on Packet and Telegraphic Contracts do consist of nineteen members ; and, in justification of so large a number, I can only say that it was found it would be very difficult to compress this Committee into the number of fifteen. Where various Governments have for a series of years been connected with the formation of these contracts, it appeared impracticable entirely to exclude those who have been connected with office ; and if they were to be included, it seemed desirable on the one hand to give them a representation which would be adequate for a full elucidation of the facts, and on the other hand this involved the necessity of a strong representation of the independent Members of the House. Under these circumstances, I hope the House will agree to the number which I have proposed.

MR. ROEBUCK said, this was a very important inquiry, and he feared it was going to degenerate into a party contest. Nevertheless, he would beg of the House, and especially of the members of whom the Committee was about to be composed, to take into its serious consideration the very important principle which was involved in the proposed inquiry. Parliamentary Government was by some looked upon as operose, and it certainly would be so if the House of Commons were to diverge from its proper functions into the performance of the duties of an Executive Committee. There were, he believed, some hon. Members who desired that this should be the case, and that the Committee in question should not merely inquire into the conduct of the late Administration, but should call in question the validity of its acts. If the latter course were taken, then would the House of Commons be constituting itself an Executive Committee, and for the purposes of such a body no assembly could be so entirely unfit. There had been of late in that House, as well as elsewhere, a vast outbreak of what he might term "virtue," and there was a bench opposite to him (the Treasury Bench) which had become peculiarly distinguished for the production of that article. Its occupants had all of a sudden discovered that in the interests of public morality the proposed inquiry was absolutely necessary. Now, he had no objection to that inquiry ; but he would put it to the right hon. Gentleman the Chancellor of the Exchequer, with whom the Motion had originated, what was really proposed by it ? He put it to him as a statesman of great importance and weight, and as one whose opinions about constitutional government would hereafter as well as now have great influence, whether he was not doing great damage to the cause of constitutional government by lending the sanction of his high authority to the course which was being taken. It had, indeed, been said distinctly that the object of the Motion was to fix upon the late Government the responsibility of their own acts. So far he could very well understand its scope ; but there were those who went beyond that, and who contended that the end sought to be attained was to call in question and to jeopardize the existence of a contract to which the late Government had lent its sanction. The right hon. Gentleman the Secretary for Ireland (Mr. Cardwell) appeared to have seen the difficulty which was involved in the subject, for in answer to a question which was put to him he stated very clearly, and, as he thought, very satisfactorily, that the validity of the determination of no Government with respect to any contract should be made a matter of discussion. That, however, did not seem to be the understanding on the part of the whole of those who sat on that remarkable bench whose members were so distinguished for their public virtue. They appeared to call in question not merely the conduct of the previous Government, but their very acts in that capacity. He would make himself understood by a reference to that on which the vials of wrath of these virtuous gentlemen had been poured—the Galway contract. He wanted to know whether the occupants of the virtuous bench opposite did not desire, and intend to call in question that very contract itself? If the right hon. Gentleman were to adopt such a course he should tell him that he was about to enter on a discussion which would tend to bring disgrace on that House, and which would render constitutional government impossible. He could understand a policy which would make a Ministry responsible for its acts; but if the House were to proceed to the extent of saying that such acts were not binding until they had received the sanction of the Legislature, the action of the Executive would be paralyzed, and to paralyze that action would, he should remind hon. Members, be, at a time like the present, to pursue a line of conduct hazardous to the country. We were entering on a period of no ordinary gravity. Was it the wish of hon. Members that the Government should wait to enter into contracts to provide for the national defence until they had first received the approval of the House of Commons? If not, where, he would ask, was the line to be drawn? To make provision for the defence of the country required money, and it would appear that it was the opinion of those who sat on the Treasury benches that that money should not be expended until the opinion of Parliament as to the propriety of that expenditure had been first taken. If that was the principle on which the right hon. Gentleman the Chancellor of the Exchequer was prepared to proceed he should tell him that it was of extreme danger to the State. He should therefore call upon the right hon. Gentleman to say whether it was his intention, in moving for the proposed Committee, to call in question the acts of the late Government, or to throw on their shoulders the responsibility of a proceeding for which they might be liable to the censure of that House. If the latter were the right hon. Gentleman's object, then he was not disposed to doubt the propriety of the course which he had pursued; but if the former were the end which he sought to attain, then he should warn him against taking a step which, with all the ability which distinguished him, he might not be able to retrieve. To possess the splendid qualities of a rhetorician was one thing, but to be a great statesman was another. For his own part, it was by the wisdom of the statesman, and not by the trumpery arts of the rhetorician that he desired to see the proceedings of that House directed.

Mr. M'MAHON said, there were only two Irish Members on the list of the Committee, while there were three Scotch. The subject was one of the greatest importance to Ireland, and she ought to be fairly represented. He trusted the right hon. Gentleman would consent to omit at least two of the names in the list and to substitute for them the names of two other Irish Members.

Motion *agreed to.*

Ordered, That the Select Committee on Packet and Telegraphic Contracts do consist of nineteen members.

Mr. SPEAKER having put the Question that Mr. Cobden be one member of the Committee,

The CHANCELLOR of the EXCHEQUER said, the hon. and learned Member for Sheffield had asked whether, in proposing the Committee, Government meant to question the acts of the late Government as contradistinguished from the acts of former Governments. In reply he must inform the hon. and learned Member that he was not prepared to place any limitation whatever on the functions of the Committee, either as to the past or future, except, of course, that which ought to be taken for granted, that they would act with the strictest regard to the obligations of public faith. With respect to the difficult question of the proportion of Scotch and Irish Members who should sit on the Committee, he could only say that he thought both countries were adequately represented. There were three Scotch and two Irish Members upon it. [An hon. Member: "Only one Irish Member."] His arithmetical faculty seemed to be already at fault, but he believed he was right, and he could assure the House that when the Committee was chosen he had laboured under the impression that there were three Irish Members nominated. It might not perhaps be thought unnatural that such was the case when he said that one of the names which figured on the list of the Committee was that of the noble Lord the Member for Cockermouth (Lord Naas), of whom he had a strong recollection in connection with discussions in reference to the distillation of spirits in bond and other questions relating to Ireland, and though the noble Lord might not strictly be an Irish he might reasonably be taken for one. And, although he should not for a moment presume to doubt the affection which that noble Lord entertained for Cockermouth, yet he was disposed to believe that it was one which his regard for Ireland completely transcended. He might, therefore, be regarded as effectually representing on the Committee the interest of that portion of the kingdom. It was, he could assure the House, a matter of no ordinary difficulty so to frame the Committee as that, while the opinions of the different Governments which were interested should have full expression, adequate provision should, on the other hand, be made for the defence of the public interests. For his own part, he did not think there was any disproportion in the number of Members on the Committee, representing England, Scotland, and Ireland, respectively, of which complaint could justly be made; and he trusted that the views and opinions of all parties would obtain a fair hearing, while there would be enough of independent force and weight in the Committee to preclude it from being regarded as useless, or its appointment looked upon as an insult to the public feeling.

MR. MAGUIRE said, that everybody knew that this question had been brought forward in consequence of the Galway contract, which many persons believed to be a purely party transaction. Therefore, to exclude Irish Members, who were chiefly interested, would be unjust. He was competent to give a fair opinion, because he represented an antagonistic port to Galway, and he claimed justice for the whole country when he protested against the systematic exclusion of Irish Members from the Committee. He thought there ought to be fewer Scotch and more Irish Members upon it.

MR. BRADY said, that when an Irish subject was to be inquired into Irish Members were excluded because they were interested, and when the subject-matter to be inquired into related to England, they were excluded because they were not interested. He agreed with the hon. Member that this Committee never would have been called for if the Galway guarantee had not been granted. There was a small and contracted feeling in this House relative to Ireland, for he knew that there was an arrangement whereby Irish Members were excluded from Committees, which was highly discreditable to the House.

MR. BEAMISH thought, the Government ought to deal fairly by the Irish Members and place an equal number on the Committee. They had a very deep interest in the question, and he hoped the Government would re-consider their decision, and introduce one additional Irish Member at least.

MR. GEORGE said, although there ought not to be any such number of Members interested in the contract so as to influence the decision of the Committee, yet it would be highly advantageous if they had Members on it who were fully acquainted with the circumstances of the case, and competent to call witnesses on the various points.

Motion *agreed to.*

MR. COBDEN, SIR FRANCIS BARING, SIR STAFFORD NORTHCOTE, LORD JOHN MANNERS, MR. CORRY, SIR HENRY WILLOUGHBY, MR. SCHOLEFIELD, and MR. DUNLOP nominated Members of the said Committee.

On Motion that Mr. Baxter be one other Member of the said Committee,

MR. MAGUIRE moved the omission of the hon. Member's name, and that Mr. Hennessy should be put in his place. He objected to the hon. Gentleman because he had been known to express very strong feelings in reference to the most important questions that would come before the Committee.

MR. BRADY seconded the Motion.

THE CHANCELLOR OF THE EXCHEQUER said, that the Motion could only be for the omission of the name, and notice must be given of the substitution of any other. He hoped that his hon. Friend (Mr. Baxter) would not withdraw his name. It was true he might have expressed an opinion with regard to the Galway contract, and if that were a reason for taking off his name they would have to strike off the names of several hon. Members who had already been nominated. If the House were to strike off gentlemen who had expressed such opinions what were they to say as to placing upon the Committee gentlemen who were officially responsible for having entered into the Galway contract? For his own part, he should regard the omission of the hon. Gentleman's name as taking away one of the titles of the Committee to public confidence.

MR. BAXTER said, he was not aware

that in consequence of having entertained certain opinions connected with our ocean packet service he was thereby disqualified from serving on this Committee. He thought the time had now come when there was no necessity whatever for subsidizing the Galway or any other line. If, however, the House felt that having formed an opinion against the system of large subsidies ought to prevent a Member being on a Committee, he at once admitted his name had better be withdrawn.

MR. WHITESIDE said, he admired the candour with which the hon. Member for Montrose (Mr. Baxter) had admitted that his mind was made up on the subject about to be investigated. He complained that though every man in the West of Ireland was in favour of Galway as a packet station, there was only one Member on the Committee from that part of the country.

COLONEL DICKSON said, he looked with great suspicion on this proposal for inquiry, for at the first blush it appeared to him as a party move of the most unmistakeable character. He thought the late Government was entitled to credit for having given a packet station to Galway, though, as an individual, he held that they might perhaps have seclected a more desirsble port in a part of the country with which he was connected. He submitted that great injustice had been done to Ireland by not placing a fairer proportion of Irish Members on the Committee.

MR. M'MAHON hoped that Mr. Baxter would assent to the withdrawal of his name from this Committee, seeing that the hon. Member would go into the Committee with his mind made up.

MR. P. O'BRIEN thought it very unfair that a Gentleman should be put upon this Committee who had told them that his mind was made up with regard to the question of subsidizing these companies.

MR. WILSON said, that the hon. Member for Montrose advocated a distinct principle, and that was whether the postal service of the country could not be carried on without subsidies at all; and therefore he thought that he would be a very valuable member of the Committee to cross-examine the witnesses with a view to illustrate the principle he advocated. The Committee was not confined to the Galway packet contract, but extended to the general ocean packet service.

MR. ROEBUCK said, one charge brought against the late Government was that when in office they employed their power to subsidize a particular company—or rather it was very broadly insinuated that they corruptly exercised their power for that purpose. Now, the Galway contract was not the only mail-packet contract; and he would press on the Committee now being nominated that there were other contracts made by former Governments which could also be inquired into, and in which corruption had been imputed. If the Committee should be at a loss to find individual instances he would undertake to find some for them. He trusted that the Committee would go over the whole of the contracts, and that they would not confine themselves to the contracts either of the late or the present Government.

MR. BRIGHT said, that when he saw the first list of names it occurred to him that the Chancellor of the Exchequer had made an unfortunate selection. One of the most unsatisfactory things in the business of that House was that so small a result followed from the appointment of a Committee. So strong had been his feeling on this subject that he had on every possible occasion abstained from serving on Committees as much as he could from the belief that his labour and time would be almost thrown away. When the Committee was first nominated he felt that it would not give satisfaction to the House, because it contained too many members who were now in office, or who had been in office under the late Government, and they would both go into the Committee Room with a disposition to justify everything that had been done. The officials of the present Government were equally well disposed to support everything which had been done by their predecessors, and the few Members on the Committee who might be called independent would find themselves overborne by the votes of those who were concerned in the very things the Committee had to inquire into. For these reasons he had intended to object to the nomination which the right hon. Gentleman the Chancellor of the Exchequer had proposed. Indeed, he believed that right hon. Gentleman had found out that the Committee, as he had originally composed it, would not be agreed to, and he had therefore added four more names, making in all nineteen members; and by so doing he had made the Committee too large and cumbersome; there would be twice as many questions asked than necessary for the purposes of the inquiry, the whole thing would fall into confusion and would turn out as resultless as the labours of a Committee usually were. If he (Mr. Bright) might recommend a course to be pursued—and which he should pursue if he had the appointment of the Committee—it would be that the whole list should be rubbed out, and then that a Committee should be proposed which should have upon it no more official Members than were absolutely necessary for the complete elucidation of the general principles which had been laid down and acted upon by the Treasury in respect of contracts. He did not agree in thinking that it was necessary to have upon the Committee the hon. Member for Galway, or one of the hon. Members for Liverpool; indeed, he thought those hon. Members ought not to be upon the Committee, because they knew well that they represented constituencies that had a great interest in a matter of this kind, and it was well known that constituencies expected their Member to take a very favourable view of what promised to be for their interest, and therefore hon. Members in such a position were indisposed and incapacitated from acting honestly and intelligently on a question of this nature. He thought therefore that in forming a Committee two classes of Members should always be avoided—Members holding official appointments and Members representing local interests; and he felt sure that Gentlemen belonging to both sides of the House, and who were not in such positions, could be found who were capable and intelligent enough to serve upon this Committee; and the Report of such a Committee would have infinitely more influence, both in the House and throughout the country, than a Report prepared or passed by a Committee having local and official interests. With regard to the name of the hon. Member for Montrose (Mr. Baxter) he could not object to it, and he would undertake to say that that hon. Gentleman was of the average ability of the House; and though he (Mr. Bright) was not in the habit of passing compliments, he would state that he was as fit to serve on the Committee as most other men. That hon. Gentleman had travelled through America, and he had written a useful book. He was in his opinion just the man to be appointed, and therefore he should not vote for his exclusion. The official and local Members might be supposed to take a partial view of the question, and therefore he should omit their names altogether. In 1853 the Chancellor of the Exchequer in proposing the budget, expressed very great doubt upon the wisdom of the enormous expenditure incurred in this subsidizing system, and he had no reason to doubt that the right hon. Gentleman's willingness to inquire whether it might not be reduced. It was well known that they could not go among commercial men without hearing something about these contracts; there was a universal suspicion that there was a great deal of unnecessary expenditure, if not jobbing, about them; and to prevent suspicion arising, the House ought to select a Committee which should be as independent and as intelligent as both sides of the House could make it.

SIR STAFFORD NORTHCOTE said, he he should certainly urge the House to retain the name of the hon. Member for Montrose upon the Committee, and he did so for this reason—this Committee was to be appointed for the wise object of looking into the whole subject of the packet contracts, which was one that required the full attention of those hon. Members who might be selected; and in the interest of the late Government, whose conduct had been attacked, he should demand that the hon. Member for Montrose should be placed on the Committee. This inquiry ought not to be skin-deep, but fully and properly gone into, and he believed the more the subject was inquired into, the more it would redound to the credit and not discredit of the late Government. The subject was one which could not properly be discussed in that House, but should be referred to a Select Committee; and if it were discussed without the assistance of the hon. Gentleman the Member for Montrose, it might be said that the Committee had not been appointed fairly, nor the subject properly gone into. This Committee would have to go into the whole question as to what were the principles upon which the packet contracts were founded, and they would have to state whether the Galway, Dovor, and other contracts were right or wrong. He quite agreed that the Committee would be best if it were composed entirely of non-official Members; but if, on the other hand, the whole truth was to be got out, they must have a certain number of gentlemen who could bring out the points of the case; and, therefore, it would be desirable that they should have two or three Members on the Committee who were acquainted with official proceedings. He felt satisfied with the appearance of this Committee as it now stood, and thought that a fair inquiry would be instituted, which was all that the late Government required.

SIR EDWARD GROGAN wished to point out that these contracts had been going on in various ports and towns of England. Up to the present moment not one shilling had been given to Ireland, and until it was proposed that Ireland should benefit by one of these contracts no inquiry had been demanded. As soon, however, as an attempt had been made to assist private energy in Ireland, the whole power and weight of English Members were brought to bear against them. It might be prudent that neither the Members for Galway, Limerick, nor Liverpool should serve, on the ground of private interest, but the same objection could not apply to the whole commercial community of Ireland. Why should not a Member for Belfast and Dublin serve on the Committee? It was a matter peculiarly interesting to Ireland, but the constitution of the Committee was not such as to give satisfaction to the people of Ireland.

Question put, " That Mr. BAXTER be one other Member of the said Committee."

The House *divided* :—Ayes 135; Noes 34: Majority 101.

Motion *agreed to.*

Mr. BAXTER to be a Member of the Committee.

Mr. LEICESTER VERNON, Captain GLADSTONE, Lord NAAS, Mr. HUBBARD, Mr. HOPE, nominated other Members of the said Committee.

On Motion that Mr. WILSON be one other Member of the said Committee,

MR. HENNESSY moved, that the right hon. Gentleman's name be omitted, in order to insert the name of some Irish Member, who should be connected with Galway.

MR. SCULLY seconded the Motion, declaring that the Committee was not at all fairly constituted. There were only two Irish Members, for the noble Lord the Member for Cockermouth (Lord Naas), although an Irishman, was an English Member. As well might the present Member for Marylebone (Lord Fermoy) be called an Irish Member, but he was nothing of the kind. Ireland was not fairly treated, either in this Committee or in the Cabinet, where there was not a single Irishman. The noble Lord at the head of the Government, although bearing an Irish title, was no more an Irishman than the Marquess of Douro was a Portuguese. He would reserve for another occasion remarks on the constitution of the Irish Government, but he would now observe that the Lord Lieutenant, the Chief Secretary, the Under Secretary, the Chief Commissioner of Irish Police, the Chief Commissioner for the Irish Poor Laws, and even the Commander of the Forces, were none of them Irishmen. There was not an Irishman at the head of any department in the country. He did not blame the Government, that House, or Englishmen for this state of things; but he blamed Irishmen, who ought to assert their own position and be true to themselves. He was glad to think that there was a sounder feeling springing up among Irish Members, and if it grew stronger there would soon be two, three, or four Irishmen brought into the Cabinet. There were always at least three Scotchmen in the Cabinet, and Scotland was a much smaller and more insignificant country even than Ireland; but the Scotch Members made their position felt.

MR. MAGUIRE said, that he, like every Member in the House, felt great respect for the right hon. Gentleman whose name was now proposed, but, if the Report of the Committee was not to be a nullity, the House should endeavour to get a non-official and independent Committee. The Government were the assailants in this matter, and partly with a political object; and, however fair Mr. Wilson might be, there were fairer men, as that right hon. Gentleman had a strong political and party bias. Let some Independent Member be appointed who would not regard the interests of faction on either side, but only the interests of the empire.

MR. AUGUSTUS SMITH thought it of the utmost importance that this Committee should be fairly and impartially constituted. It was thought desirable to have on the Committee one or two Members connected with the late and present Governments, who might be able to direct attention to what those Governments might bring before the Committee. Such Members, however, should be put, not on the Committee, but in the witness-box, and then they could bring before the Committee all the points they might think it desirable to direct attention to. He would suggest whether it would not be fair that the name of one of the Government Members should be withdrawn, and some Independent Member appointed instead.

LORD FERMOY said, he would not obtrude himself on the House; but in consequence of the observation made on his vote in the last division by the hon. and learned Member for Cork, it was only right to say in reference to that observation that there were no national prejudices in the borough he had the honour of representing, and it was an injustice to his constituents to say that he gave that vote in consequence of their national prejudices. The vote was on the question whether the hon. Member for Montrose (Mr. Baxter) should be one Member of the Committee. On that question he had voted "Aye," because the hon. Gentleman was known to represent in a very decided manner the views which many persons in the House and in the country entertained on this subject. He did not mean by that vote, however, to say that he approved of the constitution of the Committee. On the contrary, he agreed with the hon. Member for Birmingham that it was not a Committee constituted in a manner to be approved of. He gave his vote precisely the same as if he were Member for the county of Cork, but, at the same time, he would submit to the Government that it was very invidious that hon. Members should be called on to vote for or against a particular Member, and he thought the general question of the constitution of the Committee should be brought forward. He would, therefore, recommend that the Government should reconsider the question.

THE CHANCELLOR OF THE EXCHEQUER agreed with the noble Lord that if there was a sentiment of dissatisfaction on the part of the Irish Members in respect to the constitution of the Committee it would be more convenient to raise that point by a separate Motion rather than upon the question being put on particular names. It had been suggested that Mr. Wilson's or Mr. Laing's name should be omitted; but he thought it necessary to point out that the House had now appointed fourteen members out of nineteen, and among the fourteen were four official gentlemen connected with the late Government. Under these circumstances, it was not an unfair or immoderate proposition that two gentlemen in office connected with the present Government should be put upon the Committee. It was his business to come into some sort of relation with the Committee, and this would be effected through the Secretary of the Treasury (Mr. Laing), who belonged to the same Department as himself, and with whom he was in constant communication with respect to all matters of the Department. The Vice-President of the Board of Trade (Mr. Wilson) was nominated for the Committee for the same reason as the hon. Member for Stamford (Sir S. Northcote) had been nominated, because for many years he had been perfectly conversant with the affairs of the Treasury. The House did not seem to think that all official persons should be excluded from the Committee, and he did not think it would be wise to do so.

MR. HORSFALL quite concurred that it was undesirable the Members for Liverpool or for Galway should be on the Committee, although if placed on it himself he should have endeavoured to do his duty; and he might observe that if he had any bias in the matter it was in favour of Ireland. He was anxious to bear his testimony to the great importance of the right hon. Gentleman the Vice-President of the Board of Trade (Mr. Wilson) being on the Committee, as that right hon. Gentleman was better acquainted with matters of this kind than any other Gentleman, and he hoped therefore his name would be retained.

MR. H. A. HERBERT also supported the retention of the right hon. Gentleman, and suggested that, if hon. Members were objected to in consequence of having belonged to one Government or the other, some hon. Member would move the omission of his name, which had been placed on the Committee without his knowledge.

Motion *agreed to;* Mr. WILSON to be one other of the Committee.

On Motion that Mr. LAING be one other Member of the Committee,

MR. MAGUIRE hoped the further consideration of the subject would be adjourned till to-morrow. The reason why the last Motion was not opposed by a vote was that he and some of his friends hoped the Chancellor of the Exchequer might reconsider the question, and be ready to agree to some improvement of the Committee to-morrow.

THE CHANCELLOR OF THE EXCHEQUER did not see, considering the progress they had made in appointing the Committee, in what way they could improve it in the sense understood by the hon. Gentleman. He thought they ought to proceed with the nomination. The next name was that of the Secretary to the Treasury, and after him came an Irish gentleman, to whom there could hardly be any objection.

MR. SCULLY did not see any such difficulty in the way of reconsidering the matter as the Chancellor of the Exchequer supposed. [" Divide, divide !"] He was determined not to be stopped by these interruptions, which all came from the neighbourhood of the bar. He would take all such interruptions as an indication of a desire to hear him at considerable length. The Chancellor of the Exchequer could not see how it was possible to improve the Committee; but he might do so by adding Irish Members to it. [" Divide!"] There ought to be a preponderance of non-official men upon the Committee, and its constitution would then be satisfactory. He would suggest the addition of twelve members to the Committee, as it was one of great importance, and he remembered that Committees upon subjects of less importance had been composed of as many as thirty-one members.

Motion *agreed to;* Mr. LAING to be one other member of the Committee.

Mr. HENRY HERBERT was nominated one other member of the said Committee.

On Motion that Mr. CRAWFORD be one other Member of the said Committee,

MR. VANCE said, the Committee included the representatives of two of the great commercial cities of England, but the commercial cities of Ireland had been entirely overlooked. There were only two Irish Members on the Committee, and neither of them was the representative of a great port, or of a large manufacturing town. There were, however, upon the Committee representatives of London and Manchester. He did not object to the hon. Member for Manchester, but the interests of that city were so closely connected with those of Liverpool, that it was almost the same thing as placing one of the Members for Liverpool on the Committee. He believed that a Committee, constituted as this was proposed to be, would be very unsatisfactory to the people of Ireland, and that if their report condemned the Galway contract it would be regarded with the utmost contempt.

MR. BUTT said, that if the Chancellor of the Exchequer would consent to increase the Committee from nineteen to twenty-one members, he (Mr. Butt) would suggest that one of the Members for the city of Dublin and one of the Members for Tipperary be added to the Committee. If the proposed Committee agreed to a Report adverse to the Galway contract, the feeling in Ireland would be that the interests of that country had not been fairly represented.

MR. MAGUIRE observed that he would be satisfied if the Chancellor of the Exchequer assented to the suggestion of the hon. Member for Youghal.

THE CHANCELLOR OF THE EXCHEQUER said, the most convenient course would be that hon. Gentlemen who complain that there was an insufficient representation of Irish Members on the Committee should give notice of a Motion on the subject. He would then have time to reflect upon the general bearing of the proposition, and he could afterwards inform the House of the decision of the Government.

Motion *agreed to;* Mr. CRAWFORD, to be one other Member of the said Committee.

Motion made, and Question proposed, " That Mr. BAZLEY be one other Member of the said Committee."

MR. MONSELL expressed his regret that Ireland was not more fairly represented upon this Committee. There could be no doubt that the Galway contract would be the first subject of its inquiry, and he was desirous that the subject should be fairly and impartially investigated. If the decision of the Committee should be unfavourable to the Galway contract it would undoubtedly be the opinion of the Irish people that the question had not been determined by a fair tribunal. Under these circumstances he thought the request of the hon. Member for Dungarvan was not unreasonable, and he moved the adjournment of the debate.

Motion made, and Question proposed, " That the Debate be now adjourned."

VISCOUNT PALMERSTON said, he could not agree with those hon. Gentlemen who contended that the Committee did not contain a fair and impartial selection of Members to try the particular question of the Galway contract, if that were the only subject to be investigated; but while they pointed out that there were only two or three Irish Members upon the Committee, they seemed to overlook the fact that the Committee would include three or four Members of the late Government, by whom the contract was made, and who were therefore as much interested in maintaining the propriety of the arrangement they had concluded as any Irish Member could be. He saw no reason either for altering the constitution of the Committee or adjourning the debate; but even if any hon. Member wished on a subsequent day to propose an addition to the Committee, an adjournment of the debate was not necessary for that purpose. He hoped, therefore, that the House would now assent to the Committee nominated by his right hon. Friend the Chancellor of the Exchequer.

MR. DISRAELI said, he had supported the Government in the nomination of this Committee, and he need, therefore, scarcely say that he was not disposed to put them to any unnecessary trouble; but he thought the observations of the noble Lord were not altogether just. The noble Lord had said that the Committee comprised the names of some three or four Members of the late Administration who were entirely committed to the Galway contract and who would take care that that subject was properly dealt with. It must be remembered, however, that those Members of the late Government who were upon the Committee had a special duty to perform. They had to take care that the question was fairly placed before the Committee—that there was no want of information—and that the Committee should be acquainted not only with the facts, but with the opinions which had induced the late Government to sanction the arrangement. Now what was required was a Committee which would investigate this and similar transactions in such a manner as to satisfy the country that the inquiry had been conducted by impartial persons. The argument of the noble Lord therefore amounted to nothing, unless they were satisfied that there were on the Committee a certain number of individuals who could not be biased, or supposed to be biased, by any predilections whatever, either with reference to the late Administration, or any foregone conclusion as to this particular scheme, but who had no other object than to arrive at an impartial and just conclusion upon the merits. He must say he thought it would have been more satisfactory if there had been a stronger representation of Irish Members upon the Committee. He altogether acquitted the Government of having been actuated by any but the most fair and impartial intentions in the constitution of the Committee; for he knew from experience how difficult it was to form a Committee, especially upon a subject of this kind, which could give entire satisfaction. After the discussion which had taken place, however, he thought it was impossible to deny that there was not a satisfactory representation of Irish interests upon the Committee. He was unwilling to see the names of any member of Committee superseded by others merely on the ground that they were Irish Members, and he had supported the names of the two hon. Gentlemen whose names had been opposed. He thought the Committee was already too large; but if, for example, the Member for the City of Dublin and a Member for some important port in the west of Ireland were also placed upon it, it would, he believed, on the whole be more satisfactory to the House and the country. If a proposition of that kind were made on a proper occasion he should be disposed to support it.

THE CHANCELLOR OF THE EXCHEQUER said, that what had fallen from the right hon. Gentleman nearly coincided with what he had himself suggested and been taken to task for mentioning. He had said it would be open to any Gentleman on a future occasion to propose an increase to the Committee; and the quarrel with him was not that he would not assent at the moment to such an addition to its numbers, but that he would not accede to the precise proposal and the particular names which had been put before him. In asking for time he had conveyed the impression that he was acting precipitately. To be candid with the House he would tell them fairly where the difficulty originated. It originated in the large official representation of the late Government on the Committee. If, therefore, the right hon. Gentleman opposite, with his strong sense of the necessity of adding to the Irish element, would reduce the number of Members of the late Government from four to two, then there would be two vacancies, which the Government would not have the slightest objection to fill up with Irish Members.

MR. BUTT had not asked the Chancellor of the Exchequer to accede to any two particular names. He had given notice of his intention, in which he meant to persevere, to move on Thursday that the members of the Committee be increased to twenty-one.

Question, "That the Debate be now adjourned" put, and *negatived.*

Main Question put, and *agreed to.*

Power to send for persons, papers, and records; five to be the quorum.

ADMIRALTY COURT BILL.

COMMITTEE.

Order for Committee read.

MR. HADFIELD moved, That MR. SPEAKER do now leave the Chair.

Mr. MALINS hoped that the hon. Gentleman would not go on with the Bill at that hour, and suggested that it should be postponed for a week.

Mr. HADFIELD said, the Bill was introduced last year and read a second time, and was reintroduced this Session at the earliest possible period. He should take the sense of the House upon the Motion.

Motion *agreed to.*

House in Committee.

Clause 1, Provides for the opening of the Admiralty Court to barristers, serjeants, and attorneys-at-law.

Mr. MALINS said, that it was perfectly true that the House had last Parliament agreed to the second reading of the Bill; but it was upon the understanding that Government would add clauses providing compensation, as had been done on the passing of the Probate and Divorce Act, for the proctors practising in the Court. [*A laugh.*] The House might laugh, but the principle had been adopted both by the Attorney General of the present and the Attorney General of the late Government, and was founded upon justice. If it was right that the proctor should be compensated for the loss of his business in one Court, he ought to be compensated for his loss of business in the other. A proctor might have had his business mainly in one Court which had been abolished, and he got compensation; another proctor had his business mainly in the Admiralty Court, and surely when he lost his privileges, he was also entitled to compensation. He moved that the Chairman report progress.

The ATTORNEY GENERAL thought that the House and the country, which were paying £69,000 a year to the proctors, had had enough of compensation. He also thought that the gentlemen who were receiving that sum had enough of compensation. When the Divorce and Probate Bills were before the House, he yielded to the claims for compensation; but it was distinctly stated that the Admiralty Court should likewise be thrown open, and that there should be no further demands for compensation. The present Bill was only the complement of the Divorce and Probate Acts; it dealt with an old and familiar subject, and he trusted, therefore, that the House would not allow it to be further delayed, especially for the purpose of affording the proctors an opportunity of getting up petitions for compensation.

Mr. MALINS reminded the Committee that it was the Attorney General himself who stated last Session that the £69,000 a year, paid as compensation to the proctors, did not come out of the public purse; and the hon. and learned Gentleman then corroborated the statement which he (Mr. Malins) had made that the fund which he had provided by the Act of Parliament was abundantly sufficient to pay it without costing the country anything. That fund was provided simply by continuing some small fees upon probates which were paid before the Act, and which the hon. and learned Gentleman stated was only a measure of justice, and should be continued, in order to prevent that body of men being ruined by the passing of the Act. He denied that there was any bargain or compact such as the hon. and learned Gentleman had hinted at, precluding the proctors from asking for compensation for loss of business in the Admiralty Court.

Mr. MOWBRAY: Although the Attorney General had observed that the House had had enough of compensation, he had understated the amount which the country had to pay. The amount was in reality not £69,000, but between £120,000 and £130,000 a year. His hon. and learned Friend (Mr. Malins) appeared to think that an arrangement had been made by which the country was to recoup this sum; but so far from that having been the case £56,000 for stamps was all that had yet been received against the £120,000 a year. If compensation clauses were brought up he would suggest that they should be based upon the principle that compensation should be limited to the difference between the income upon which the proctors had received compensation, and the amount which they had returned to the income tax.

The ATTORNEY GENERAL remarked that the compensation clauses in the Divorce and Probate Acts were forced upon the Government by the other side, and in a particular manner by the hon. Member for Durham (Mr. Mowbray).

Mr. MOWBRAY stated that the clauses in question were supported by Gentlemen on both sides of the House; indeed, the Member to whom the proctors intrusted their petition was the noble Lord the Member for the City of London.

Clause *agreed to;* as were the remaining clauses.

House resumed.

Bill *reported.*

ROMAN CATHOLIC RELIEF ACT AMENDMENT BILL.

DEBATE RESUMED. SECOND READING.

Order read for resuming adjourned Debate on Question [7th July], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. NEWDEGATE said: Sir, I have ventured to give notice that I shall move as an Amendment that this Bill be read a second time on this day three months; and I hope the House will allow me to explain, in as few words as possible, my reasons for so doing. The House will recollect that when this Bill was last under consideration, and just before the right hon. Baronet the Member for Canterbury moved the second reading of his Bill, a question was put to the Attorney General for Ireland, as to whether the Government would introduce a measure for an alteration of the oath taken by the Roman Catholic Members of this House, and by various officers of State being Roman Catholics, which is prescribed by what is termed the Relief Act of 1829—that great settlement by which members of the Roman Catholic Church, or rather persons who profess the Roman Catholic religion, were admitted to seats in the Legislature. The Attorney General for Ireland then stated, on the part of the Government, that they would, during the recess, consider this question. Now, the terms of that oath comprehend all the principles of the Relief Act. They comprehend not only the terms upon which Roman Catholics should be admitted to the Legislature and to high offices of State, but provide that nothing shall be done by the Roman Catholics to the detriment of the Established Church, or to the detriment of the Protestant Government of the United Kingdom as established under the Act of Settlement. Now, it appears to me to be somewhat strange that, when the Government had decided that they would take the period of the recess to consider whether any modifications should be introduced into this most important part of this national compact, for it is a national compact, they should have permitted and even encouraged an independent Member of this House to persevere with a Bill which assails a vital element in that Settlement. I know that a belief has prevailed, that this is merely a small concession to the spirit of liberalism in which this country has been proceeding for some years; but I think I can show the House that it is a direct attack upon the Act of Settlement as re-enacted in the Relief Act of 1829—a direct attack upon the Protestant Government of this country—that form of Government under which it is our happiness to live, which has not been invalidated by the Act of 1829, but which it was the direct object of the framers of that Act to preserve, whilst they granted certain privileges to their Roman Catholic fellow-subjects. I have heard it said by the right hon. Gentleman the Secretary for the Home Department, that it was only through a mistake made by the late Sir Robert Peel, that the office of Lord Chancellor in Ireland was not opened to Roman Catholics in 1829; and that the only reason for that prohibition was that the Lord Chancellor exercised the patronage of the Church of Ireland, but that the exclusion was founded on a misapprehension and a mistake, because the Lord Chancellor of Ireland exercised no ecclesiastical patronage whatever, while the exclusion prevented gentlemen of the Irish bar who professed the Roman Catholic religion from attaining the highest office in their profession. Now this is a very limited, though a specious argument. I have referred to the debates of 1829, and I think I can show the House, in a very few words, that the late Sir Robert Peel in the most distinct form announced this exclusion to the House specifically as one of the securities for our Protestant form of Government, for that purpose introduced in the Emancipation Act; that not only the Lord Chancellorship of England should be retained a Protestant office, but that the Chancellorship of Ireland should be retained a Protestant office also. In this portion of his speech I find that the word "respectively" is used in an emphatic manner to show that the provision referred to the Chancellor of Ireland as much as to the Chancellor of England. I remember hearing that eminent statesman deliver his almost last speech in this House before his lamented death, on the Bill introduced by the noble Lord the Member for the City of London, for the abolition of the Lord-Lieutenancy of Ireland, which Bill involved this very subject; but in not one word that ever passed from his lips did he give the slightest encouragement to any one to expect that he would ever depart from the principles and the safeguards of the Bill of 1829; from those principles and safeguards which held it to be inconsistent with the Protestant character of the monarchy of this country, under the Act of Settlement, that the office of Lord Chancellor of Ireland, any more than that of Lord Chancellor of England, should be filled by a Roman Catholic. Let me, before I proceed further, call attention to what the Act of Settlement provided. In that Act it is specifically declared, that the allegiance of every subject of the Monarchy in this country is to be abrogated if any but a Protestant occupy the Throne; or if any occupant of the Throne become a Roman Catholic, or be reconciled to the Church of Rome. Now, this abrogation of the allegiance of the subjects to the Sovereign of this country was to take place in the event of the adhesion to the Church of Rome of that Regal power of which the Lord Chancellor of England and the Lord Chancellor of Ireland are "respectively" the confidential and responsible advisers. Remember, the Lord Chancellor is the constitutional adviser of the Sovereign of this country, whether in England or in Ireland, in every point of constitutional doctrine, in every matter that relates to the interests of the Church, in every question of ecclesiastical jurisdiction; and is also directly invested with the care of all insane persons and their property, as well as with the care of the property, persons, and education of minors. From ancient times, the Lord Chancellor has been called the keeper of the conscience of the King. In Roman Catholic times, this officer was usually an ecclesiastic, and in Protestant times, when, thank God! Her Most Gracious Majesty has no confessor, the Lord Chancellor is still the confidential and responsible adviser, upon whom the Sovereign, whether in person, as in England, or by deputy as in Ireland, is bound to rely. I ask the House, then, is not the matter before us a grave one, when it is proposed that this constitutional adviser of the Sovereign shall be no longer necessarily of the religion which the Sovereign himself, or herself must profess, under the penalty of releasing every subject from his allegiance. As this point is one of great importance, and as great weight is attached to the opinions of the late Sir Robert Peel, I will now read the words made use of by him when introducing in this House the Relief Act of 1829:—

> "But, Sir, with respect to all these offices, to corporate offices, to offices in the Courts of Justice, to military appointments, aye, to the highest civil offices, we have in my opinion decided the question the moment we have resolved on the admission of the Roman Catholic to Parliament, &c., &c. It will nevertheless be quite consistent with this principle to exclude the Roman Catholic from a certain limited number of offices which have special and peculiar duties attached to them connected with the patronage of the Church, or with education, or the administration of the ecclesiastical law. The Roman Catholic is jealous of our interference with the appointments and discipline of his Church, and we have at least as good a right to take security for the maintenance of the integrity of our own. The Bill will therefore exclude the Roman Catholic from the office of Regent, and from exercising, under any circumstances, the delegated authority of the Crown, from the office of Lord Chancellor in England and Ireland respectively, and from the office of Lord Lieutenant of Ireland. It will not qualify the Roman Catholic to hold any office, place, or dignity connected with the Church establishments of the United Kingdom, or with the Ecclesiastical Courts of Judicature, with the Universities, or the great public schools, or schools of ecclesiastical foundation. All local statutes of the Universities, and the power of making such statutes, will be preserved inviolate. The laws respecting the right of presentation to ecclesiastical benefices will remain unrepealed and unvaried, and provision will be made for entrusting exclusively to Protestant authorities the right of Church patronage belonging to the civil office that may hereafter be held by a Roman Catholic. The Roman Catholic will be disabled, under severe penalties, from advising the Crown, directly or indirectly, in respect to the grants of Church preferments, and generally from the exercise of any influence derived from civil office over ecclesiastical appointments. Such is the principle and outline of the measure, so far as it concerns the removal of political disabilities."

Now, Sir, I have read to the House the substance of the statement of Sir Robert Peel, and if the House will take the trouble to examine the Act of 1829, they will find how precisely and accurately it corresponds with the description given of its main provisions in the passage of the speech which I have just read. The Lord Chancellor of Ireland is the constitutional adviser of the Lord-Lieutenant, in the absence of the Sovereign, in respect of all matters touching preferments in the Church of Ireland. Indeed his functions in this regard go in some respect even beyond those of the Lord Chancellor of England; for remember you have not dealt with the Ecclesiastical Courts of Ireland as you have dealt with those of England. There remains in Ireland a distinct ecclesiastical jurisdiction, and if any ecclesiastical decision given by the Archbishop of Armagh, or any of the Bishops in the Ecclesiastical Courts be appealed from, the Lord Chancellor of Ireland can appoint a commission of delegates to try the question, and from the decision of the delegates none but the Lord Chancellor of Ireland himself can hear the appeal. Again, if any insane person or minor be possessed of patronage in Ireland, the exercise of that patronage falls to the Lord Chancellor of Ireland. Again, in the various functions delegated by the Sovereign to the Lord Lieutenant of Ireland, including the prerogative of mercy, the Lord Chancellor is the principal adviser. Sir, it appears to me that we might much more consistently, under this Act, propose that the Lord Chancellor of England might be a Roman Catholic, than that the Lord Chancellor of Ireland might be a person of that religion, because in the 16th and 17th Clauses of that Act, there is a specific provision that, in case any holder of office should be a Roman Catholic, and thereby disabled from exercising the ecclesiastical patronage of the Crown, that then the Archbishop of Canterbury should exercise that patronage. But throughout there is no such provision with respect to Ireland ; so that it is perfectly evident that it was never contemplated that the office of Lord Chancellor of Ireland should be filled by a Roman Catholic, because if it were, so important a provision would not have been omitted in the case of that country. I mention this to show how little ground there can be for the supposition that the retention of this high office of Lord Chancellor and principal adviser to the representative of royalty in Ireland as one of those which must be filled by a Protestant was the result of accident. I really cannot tell what may be the ulterior object of the right hon. Gentleman who has introduced this Bill ; but I cannot forget that he spoke earnestly and voted for the abolition of the Lord Lieutenancy of Ireland. Now, is it intended that this proposed alteration in the law should be the forerunner of that abolition ? If so, I cannot imagine a measure that would be better adapted for the object; because, if a Roman Catholic were appointed to the office of Lord Chancellor of Ireland, with the exception of some patronage and jurisdiction in magisterial and judicial appointments, he would be totally incapacitated from the exercise of the functions which the Lord Chancellor of Ireland now performs, and would in fact sink to the position of a mere equity Judge, while the Lord Lieutenant himself would be left without a qualified adviser on all matters, from which a Roman Catholic would necessarily be excluded by the provisions of the Act of 1829. No Roman Catholic could be such an adviser as the constitution intended to provide, and with whose assistance and advice the Viceroy of Ireland has hitherto performed his high duties. If that be the intention of the right hon. Gentleman, why does he not come at once to the great question of the existence of the office of Lord Lieutenant of Ireland ? But, Sir, I shall put another view of this case. Is there in this Bill a lurking intention that certain high functions now exercised by the Lord Lieutenant should be transferred to the Lord Chancellor of Ireland, as was suggested in 1850 ? I remember that the right hon. Gentleman the Member for Buckinghamshire then put it pointedly to the late Mr. Fagan—"do you intend that the chief authority and the functions of the Lord Lieutenant should be transferred to the Lord Chancellor of Ireland ?" And now we find that the right hon. Gentleman the Member for Canterbury shrinks from an explanation of his own Bill, which proposes that the high office of Lord Chancellor of Ireland shall be opened to Roman Catholics. In whatever light we view the case, I think the House will see that there has been an absence of explanation. There has been a disposition to ask the House to commit itself to the principle of this Bill uninformed, and under circumstances which ought to excite our suspicion. I trust, Sir, the House will never be led to adopt the same course which they did, I think unadvisedly, on a recent occasion, in the case of the endowed schools. I hope they will not be trapped into the adoption of a great principle, and then not know how to find their way to a safe settlement of that principle without the bungling resource of a Select Committee. These are the leading motives which have influenced me in my opposition to this Bill. I am an Independent Member of this House, and I trust the House knows the respect I entertain for it, looking upon it, as I do, as one of the justly valued institutions of the country. I say it with regret, I have of late observed the practice resorted to by some hon. Members of thrusting on the House pieces of paper with a great principle inscribed on them, without the means of carrying out those principles being described for the information of the House. We are expected by those hon. Members to vote for a particular object, and then to trust to a Select Committee for carrying that object into effect. You may depend upon it that such a system is by no means consistent with the dignity of this House. The House loses caste by it. We have none of us a right to ask this House to accept any such crude proposition, unless we explain all the means by which it is proposed to produce the desired results, and the consequences that are to accrue therefrom. Sir, I will not detain the House much longer, but I wish to say one or two words to hon. Members of this House, especially, who profess the Roman Catholic religion. It may be supposed that I am actuated by some petty, miserable, narrow-minded bigotry, against Roman Catholics. I am actuated by nothing of the kind; but when I come to examine the sentiments of Roman Catholics of distinction, I find them to be of opinion that the members of their religious persuasion enjoy in this country a freedom, a positive encouragement in the propagation of their faith, in their churches, chapels, schools, and other institutions which is unknown in continental nations. I would ask them then, why I should be considered narrowminded in seeking to uphold the Protestant constitution of this country, while in so doing I am defending the sources of the freedom which they as Roman Catholics enjoy, I will not say abuse ; a freedom which they admittedly enjoy. Doctor Ennis, a Roman Catholic priest, was sent by the late Dr. Murray, one of the Roman Catholic Bishops in Ireland, to the present Pope on the subject of Roman Catholic education in Ireland, and Dr. Enuis declared to his Holiness that in Ireland the Roman religion had free and ample course. What has the Count de Montalembert written on this subject of the freedom which Roman Catholics enjoy under the British Constitution ? He uses these words at p. 196 of *L'avenir de l'Angleterre :—*

> "But it is in England, above all, that the fact is most fully demonstrated that without political liberty they remain powerless. Political liberty has been obtained, and everything has become powerless against them. The Catholics owe everything to liberty; nothing to temporal authority. Neither Philip the II. nor James the II. could prevent their defeat."

Count Montalembert went on to illustrate the fact that in no country did the Roman Catholics enjoy such personal freedom for the exercise of their religion as in this, and writes, that were the relations of the subject with reference to the religion of the State enforced in this Protestant country, as they are in Roman Catholic Naples, that Roman Catholics might sigh in vain for the freedom they enjoy.

It is on these grounds, Sir, that I appeal to Roman Catholics to retain in Protestant hands the authority of that state under which, according to their own authorities, they have been granted a freedom which they could not find in any other country. I ask them not to attempt to infringe upon that which is as much the source of their own liberties as it is that of the liberties of Protestants. I appeal to Her Majesty's Government not to suffer an independent Member of this House to tamper with the great settlement of 1829, after the declaration which we have had from the Executive that they require the leisure of the recess to enable them to deal with much less important matters in a competent manner. On these grounds, I feel it to be my duty to move that this Bill be read a second time on this day three months ; and I hope that, in deference to those great principles which have so long been at once the glory and the security of this country, the House will sustain me in my opposition to the measure.

SIR BROOK BRIDGES, in seconding the Amendment, said he was astonished at the light and airy—he might almost say the flippant manner in which the right hon. Gentleman (Sir W. Somerville) introduced this Bill, which was one of the most important Bills that could be brought before the House. He was astonished to hear the right hon. Gentleman say that it was by the mere inadvertence of some of the greatest men that England ever produced, that a provision whose express object was to except particular persons from particular offices under the operation of the Act of 1829 was inserted in that Act. The Secretary of State for the Home Department wished the House to suppose that that provision was inserted simply because Sir Robert Peel did not happen to know that the Chancellor of Ireland had no Church patronage. But the distribution of Church patronage was one of the most insignificant of the duties that devolved upon the Chancellor of Ireland. He it was who had to advise the delegated governor of that country in all important matters. It was impossible therefore to suppose that the introduction of these exceptions was an inadvertence. In seconding the Amendment he was actuated by no unworthy motives against his Roman Catholic fellow subjects. He honestly believed that the liberties of this country mainly depended upon Protestantism remaining its leading principle. On looking round the nations he found that liberty prevailed where Protestantism prevailed; but it was exceedingly rare to find liberty prevailing where Romanism prevailed. He besought those who valued their liberty to value their Protestantism as one of the most important parts of that liberty which conduced not only to prosperity and happiness in this world, but to happiness in the world to come.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question proposed, "That the word 'now' stand part of the Question."

MR. CARDWELL: My hon. Friend the Member for Warwickshire (Mr. Newdegate) has appealed to Her Majesty's Government not to allow an independent Member of this House to tamper with those principles upon which, in his words, the Protestant Constitution of this country rests. I, on the other hand, am happy in being able to support a measure brought forward by an independent Member of this House, than whom none is more worthy to be the instrument in promoting what I believe to be a just and righteous measure. I listened with pleasure to the high terms in which my hon. Friend spoke of the author of the Catholic Relief Act, and in the argument, short only as it need be, that I shall venture to address to the House I shall defend the second reading of this Bill upon the principles announced by the author of the Relief Act; and I shall endeavour to show that consistently with the statements then made there is no reason why this present exception from the comprehensive provisions of that Act ought any longer to remain upon the pages of the statute-book. The principle of that Act, laid down by the author of it at the time and accepted by Parliament, was the principle of equality of civil and religious privilege: and the exceptions which were included in the Act were exceptions justified only, and believed to be justified, by the special circumstances existing at that time. What now remains for us to consider on the second reading of this Bill is whether it is possible to defend by sound argument, based on the special circumstances of the office, the exception with regard to the Lord Chancellor of Ireland. The principles of that exception were two. It was stated that the reason why the Lord Chancellor of England and the Lord Chancellor of Ireland were excepted from the provisions of that Act was twofold—that they exercised church patronage and that they exercised ecclesiastical discipline. With permission, I will deal frankly with both those cases. I have communicated with my Colleague the Lord Chancellor of Ireland. I have ascertained from him, and I will state to you in his own words what is the case with regard to ecclesiastical patronage:—"The Chancellor has not any church patronage, except in respect of the vicarages of St. Andrew and St. Mark, Dublin, as to which he is joined with the Archbishop of Dublin, the Master of the Rolls, and the three chief Judges by an Act of the Irish Parliament." Is it to be said that Protestantism is safe while the Master of the Rolls and the three Chief Judges—the majority of the patrons—may one and all be Roman Catholics, and is rendered unsafe when one of the other patrons, the Lord Chancellor, is permitted to be a Roman Catholic? Will any friend to Protestantism like to rest his case on a foundation so unsubstantial as this? But does the case rest there? Do those who so highly praise the Roman Catholic Relief Act for its exceptions, know what else it contains? Do they not know that the Lord Chancellor, being a Roman Catholic, is incapacitated from exercising ecclesiastical patronage directly, and that if he ventures to give advice on such a matter to the Lord Lieutenant he is subjected to the severest penalties? That is the state of the law at present. The hypothetical case is put that the Chancellor, having authority in lunacy, may have church patronage devolve on him by reason of the patron becoming lunatic. Hypothetical cases have been put with much ability; I do not believe that it is possible to frame an Act against which the ingenuity of some gentleman may not make objection. I will venture to frame an objection against the law as it now stands, and I will ask you to tell me which is the most weighty. The Home Secretary, for anything contained in the law, may be a Roman Catholic, and the Home Secretary has the church patronage of Scotland. Suppose I were to argue that the Protestantism of Scotland is not safe, because there is no provision to prevent the Home Secretary being a Catholic. What is the real and rational answer to the objection to the second reading of this Bill? Why, that there are careful provisions in the Roman Catholic Relief Act which, from the time that Act passed, have not been found inadequate or inoperative, and, if the ingenuity of my hon. Friend can suggest when this Bill is in Committee that when making new concessions it is necessary to make new safeguards, we shall be perfectly ready and willing to give the utmost attention to the case and the remedy by which he proposes to meet it; and I do not doubt that what the wisdom of Parliament did thirty years ago in a great case the wisdom of Parliament can do in a much minor case—make safeguards adequate for any corresponding danger. How stands the case with regard to the other branch—namely, the case of ecclesiastical discipline? At the time the Roman Catholic Relief Act was passed there was in both countries an ultimate appeal in matters of discipline to the Queen in Chancery. That appeal was then of this kind—it was an appeal from the Archbishop to the Queen in Chancery, and the duty of the Chancellor was to appoint a commission of delegates. If an appeal against the decision of the delegates was raised, it was the duty of the Chancellor to sit in court, and, if he was satisfied that there existed sufficient grounds, to appoint a commission of review. That was then the case in both countries. In regard to this country there has been a most important change of the law. An appeal in England to the Chancellor no longer lies for the appointment of a Commission of Delegates. It lies to the Judicial Committee of the Privy Council. But that change has not yet taken place in Ireland; and with regard to the jurisdiction of the Chancellor of Ireland, as I wish to state with perfect frankness, so far as my knowledge extends, all that can be stated with regard to the jurisdiction of the Lord Chancellor in Ireland, I will read the statement which has been forwarded to me by the present occupant of that distinguished office:—

> "The Chancellor's ecclesiastical jurisdiction, as representing the Queen, consists in issuing Commissions of Delegates under the 28th *Geo.* III., c. 32, and advising as to the issue of Commissions of Review of the decisions of such delegates. As to the former he is merely ministerial, the sole duty being to choose the Commissioners, who must be Protestants. In deciding as to the issue of a Commission of Review, the Chancellor acts judicially on a full hearing of the case in open Court."

["Hear, hear."] Right hon. Gentlemen opposite cheer. I am not contending that you do not require provisions, which may be properly introduced in Committee. But I am stating frankly how the law now stands, and I contend that this is not a ground which will justify us in rejecting the Bill on the second reading.

> "The only other office of the Chancellor in relation to Ecclesiastical Courts is to sign warrants for the issue of writs '*de contumace capiendo*,' under the 54th *Geo.* III., c. 68, and this is purely ministerial."

This statement has been received by those who are not friendly to the passing of this Bill as I expected. But they are probably not aware that in the memory of the present Chancellor, who has held the office many years, there has never once been an appointment of a Commission of Delegates, and I believe I am right in stating that, in the memory of my right hon. Friend who sits behind me, during the whole time he has been at the bar, there has never been a Commission of Delegates. It is not, therefore, a reason which ought to deter us from going forward with the second reading of this Bill. But I will ask you this—supposing that we were now debating the question, not of the Chancellor, but of the Lord Chief Justice of the Queen's Bench; and supposing it were set before us hypothetically to argue the great dangers to Protestantism from that great officer being permitted to be a Roman Catholic, how should I describe the effect of a *mandamus* giving positive directions as to the exercise or a prohibition as to the non-exercise of ecclesiastical authority. But as I have stated to you frankly there do exist cases worthy of consideration with respect to Ireland which do not exist with respect to England. I have stated the case plainly, and I contend there is no case which justifies the House of Commons in rejecting the second reading of this Bill. Having so spoken of the exceptions in the Catholic Relief Act, let us revert to the principle. What was the principle? It was equality of civil and religious privilege. It was the healing of great wounds which had lacerated the body politic of this country for years, which had created the most unhappy differences between the two islands which constitute the United Kingdom, it was the restoring to society and the Government of the country the means of peace and union among ourselves. That principle ought to be advanced upon every occasion, when, consistently with the safeguards which were then laid down, it can justly and properly be advanced. I believe that on this occasion if you pass the second reading of this Bill you will not take a step one single foot beyond the principle of the great Act of

1829. I believe, on the contrary, you will be acting in conformity with the spirit of that Bill, by removing one of its unnecessary exceptions. And confidently believing that this is in principle a just and righteous measure, I most cordially give my support to the proposal of my right hon. Friend that the Bill be now read a second time.

MR. WHITESIDE: Sir, I heard the notice given of this measure by the right hon. Gentleman the Member for Canterbury (Sir W. Somerville) with surprise and regret. In the whole course of my life, since the Catholic Emancipation Act was passed, I have never heard an observation made upon the subject, and no Motion has ever been submitted to the House since 1829 to redress what is described as a momentous grievance. But now, when all irritating topics have been disposed of, when Reform has gone to sleep, when the landlord and tenant question is shelved, and a criminal code for Ireland extinguished, it was, I suppose, thought necessary by hon. Gentlemen opposite to do something, and therefore a Motion was made to repeal two lines of a fundamental clause of a fundamental measure. I object to a measure such as the great Act for the Emancipation of the Roman Catholics being dealt with in this fashion. I say it is inconvenient and mischievous, and that it is impossible to set a worse precedent than for a Government to allow a right hon. Gentleman, one of their supporters, so to deal with this question. If the right hon. Gentleman the Member for Canterbury had made a proposal similar to that which is involved in his Bill with reference to a mere equity Judge, such as the Master of the Rolls, I could understand such a proceeding. Such, however, is not the case. But if the mode and time at which the Bill is proposed are inconvenient, the arguments by which it was supported are eminently inconclusive, and then the right hon. Gentleman the Secretary for Ireland and the right hon. Baronet the Secretary for the Home Department come to the rescue and assert, what I undertake to disprove, that that portion of the clause which is now in question was framed by Sir Robert Peel inadvertently, and under the false impression that there was some ecclesiastical patronage attached to the office of Lord Chancellor of Ireland; that alone being, as is contended, the reason of the exception which is made in the Act of emancipation, which they say ought now to be obviated. Now, when such a subject as this is introduced to our notice, it is impossible to avoid adverting for a moment to those great men by whom it was discussed before Sir Robert Peel undertook its adjustment. That statesman had the advantage of the epigrammatic brilliancy of Grattan, the matchless logic of Plunket, and the persuasive eloquence of Canning before he became convinced of the expediency of the policy which he was about to adopt, and before the curiosity which the reasoning of those great men excited induced him to inquire how the question of Catholic emancipation ought to be settled. I revert to the views as originally propounded of those distinguished advocates of the Catholic claims to whom I have referred, because the Roman Catholics of Ireland placed entire confidence in them, and because I believe the advocacy of their cause could not be intrusted to abler hands. Let me ask, then, if Plunket was unacquainted with the question which he undertook to promote? He was a follower of that great party which was out of office for fourteen or fifteen years, because it was favourable to the Roman Catholic cause. Was Grattan a man likely to be deceived upon a subject to which for many years he had lent the splendour of his eloquence? Was Canning completely in the wrong in the views in respect to it which he entertained? I am desirous to receive an answer to these questions, inasmuch as in every one of the Bills which were framed on the subject previous to that of Sir Robert Peel, the exception which is now sought to be dispensed with is to be found. It is to be found in the measure of 1813, in that of 1821, and in that of 1825. I may perhaps be wrong in saying that it was included in that of 1821—it was omitted from the Bill originally, and was, I believe, introduced only on the occasion of the debate on the Report. Well, I have now the advantage of having heard the speech of the right hon. Gentleman the Secretary for the Home Department and that of the right hon. Gentleman who has just spoken on the question, and I have read those of the eminent persons to whom I have alluded. I contrast those speeches, and what is the result? I find that in every one of the Bills which preceded that of Sir Robert Peel words were introduced to the following effect:—"Be it enacted that nothing herein contained shall be construed to extend to enabling any person being a Roman Catholic to hold the office of Lord Chancellor, of Lord Keeper or Commissioner of the Privy Seal in Ireland, or of Lord-Lieutenant or Lord-Deputy or other Governor of chief Governor in that country." There the clause stops. And now let me ask why it is that we are re-opening this question in the month of July? Any hon. Gentleman who is not a believer in the sincerity of abstract Irish politics may very naturally imagine why it is so, and may ask who wants a place? The subject, let me remind the House, is introduced at a moment when national questions of the utmost importance await discussion; when Europe is in flames, or was so; when there is a peace which, so far as I can understand the matter, is almost as awful as war. But I shall not dwell upon the time which the right hon. Baronet opposite has chosen to introduce this topic. I revert to the question, what was done by Sir Robert Peel when he came to a decision on the adjustment of the Catholic claims? Nobody ought to understand the policy of that great statesman, better than the right hon. Gentleman who has just addressed the House, for he has been so good as to publish the records of his political career. As to the policy itself, I can only say that Sir Robert Peel understood this question thoroughly, and that he acted with respect to it conscientiously. What was the point, let me ask, which he had to consider? Plunket and Grattan held the opinion that there ought to be a control exercised over the communications between the Papacy and the Roman Catholic people of this Protestant country. They said it might come to pass that a bull or missive might be sent into these kingdoms, which, while it did not touch the ceremonies or religious observances, might inflame animosities which ought to be guarded against. They framed a clause for the purpose of meeting cases of this description. They likewise held the opinion that no person ought to be appointed as Prelate in this country who had been five years out of the kingdom, or who had not been born of British parents. All these matters came before Sir Robert Peel; he however rejected those limitations on the free intercourse between the Roman Catholics of this country and the head of their Church; he dispensed with all those clauses which had been prepared by the great leaders of the Catholic cause. He nevertheless said, "I must have regard to the authority of the Crown,"—a subject on which, permit me to observe, the right hon. Gentleman who has just spoken has not condescended to utter one word. I shall not, however, show that I am as forgetful as the right hon. Gentleman appears to be of the Act of Settlement, in accordance with which the delegated authority of the Crown ought to be vested in no other hands than those of a member of the Protestant religion. I am not, indeed, quite sure that if a clause were introduced into the Bill under our notice for the repeal of the Act of Settlement the noble Viscount at the head of the Government and his supporters would not agree to such a proposal after a discussion of a quarter of an hour. But let me remind them that that Act is said to be the great work of the Whig party, and it was carried so far as to provide that if a king came over here from Germany to rule this country he must be a Protestant, not of the German school, but of the Church of England. The same rule applies to those to whom the authority of the Crown is delegated. And now let us consider for a moment whether there is any evidence to show that Sir Robert Peel introduced the words which are sought to be expunged into the Bill by mistake. There is a phrase in general use, "Oh, that mine enemy would but write a book," which I do not mean to apply to the right hon. Gentleman who has just spoken, who has written a very useful book containing the memoirs of that great statesman. In that book I find that Sir Robert Peel, in one of his papers, which is dated the 17th of January, 1829, after alluding to the offices which were excepted from the list of those which ought to be open to Roman Catholics, in accordance with the views laid down in the Bills of Grattan, Plunket, and Burdett, proceeds to say that all the offices which belong to the Established Church, the ecclesiastical courts of judicature, as well as the offices of Lord Chancellor, both of England and Ireland, as well as that of Lord Lieutenant of Ireland, ought to be excluded from the number. He then goes on to say that a Roman Catholic ought not to have the right of presentation to a benefice, and that if he assumed such a right the King had power to appoint a Protestant who might exercise *pro tempore* the right of presentation. Then upon the question whether the declaration of being a believer in the doctrine of transubstantiation ought to enforced to the prejudice of anybody, he observes that it is more desirable that Roman Catholics should be held to be incapable of holding certain specified offices than that their exclusion from them should be effected through the instrumentality of such a declaration. Then follows another passage which relates to the duty of the Crown to protect the Protestant constitution of the realm. Let us now turn for a moment to the clause in the Act of Roman Catholic emancipation which was framed in accordance with those opinions. It is a remarkable clause notwithstanding that we are this evening called upon to deal with it in a moment as the result of a rash and inadvertent policy. That clause enables none but Protestants to become Lord Chancellor and to hold other high offices. Why was this exclusion kept up as regards the Chancellor? Because the regal authority is constantly reposed in him. At this moment the Lord Chancellor in Ireland is exercising this authority. The Chancellor is always a Lord Justice in the absence of the Lord Lieutenant ["No!"]—yes, invariably; and he has exercised regal power twice within the course of twelve months. Since the Roman Catholic Relief Bill passed, no Roman Catholic gentleman has ever proposed to this House to repeal that section, nor has any Roman Catholic petition been presented against it; and I believe it was because the distinguished men who were here, O'Connell and Sheil, were satisfied with the Bill as it stood, and thought it was an unreasonable thing to ask that a person upon whom, by virtue of his office, such functions devolved, and who was called upon to exercise the delegated authority of the Crown, should be a Roman Catholic. They felt that for these reasons it was reasonable to exclude a Roman Catholic from that post; and you must continue to exclude him upon the like ground at present. Here is a Bill, without an exception in it, without a saving clause, which calls on the House to allow a Roman Catholic to fill the office of Chancellor, when my belief is that there is not a Roman Catholic gentleman at the bar who would not instantly decline to exercise the duties incident to that office. I believe that Justice Ball refused to sit upon a commission of delegates even where no questions of religious discipline were concerned, simply because the appointment arose through the Chancellor's ecclesiastical jurisdiction. The Home Secretary said there was no ecclesiastical patronage attached to the office; but there is such a patronage with respect to certain livings in the City of Dublin, the election to which is vested in him along with other persons; and then when we show this, it is said that because these other persons have a vote it makes no manner of difference should the Chancellor be a Roman Catholic.

MR. CARDWELL: I believe that I proceeded to show that by the terms of the Roman Catholic Relief Act the Lord Chancellor, being a Roman Catholic, would be disqualified from voting.

MR. WHITESIDE: But the Home Secretary said the Bill, in his opinion, was to be defended upon the distinct ground that there was no ecclesiastical patronage vested in the office of the Chancellor, and when it is proved that there is, the Chief Secretary to the Lord Lieutenant of Ireland falls back upon the 17th Section, and says if the Chancellor ventures to appoint to these livings he may be indicted. So that you propose to appoint a man to a certain office to which certain duties are incident, and if he performs those duties he is to be indicted! As to cases of presentations in the hands of lunatics, the law is quite plain. Neither the lunatic nor his committee can present; but the Lord Chancellor, by virtue of the general authority delegated to him by the Crown, presents to the living, whatever its value. Altogether, I think the right hon. Member for the University (Mr. Gladstone) will startle his constituents if he votes for this Bill. Sir Robert Peel understood this question thoroughly, and when he excluded Roman Catholics from holding the Chancellorship it was not done invidiously. In his paper, published by the right hon. Gentleman (Mr. Cardwell) he says he wishes to make his measure as comprehensive as possible. The right hon. Gentleman (Mr. Gladstone), too is a Churchman. Can he advocate a Bill by which the most sacred interests of the Church may either be sacrificed or betrayed? ["No!"] Hear the argument first and then answer it if you can. When subjects of this delicate nature and dealing with such important interests are brought forward in this rash way, the arguments must be heard fully. Besides having a delegated authority over lunatics and minors, besides having this patronage in the City of Dublin, the Lord Chancellor exercises certain powers when questions of doctrine arise. It is said that he only acts ministerially in selecting the Judges who are to decide upon the doctrines of our Church; and we are called intolerant unless we permit a Roman Catholic gentleman to appoint the Judges who are to decide as to the doctrines of that Church, of which some of us are sincere defenders! Why, it is one of the most indecent propositions ever submitted to Parliament. Not only does the Chancellor select the Judges who are to try these questions, but when they come back from the Court thus constituted they go to the Chancellor himself. He hears the whole matter judicially, and decides upon it; and the Cabinet of which the right hon. Gentleman (Mr. Gladstone) is a Member is of opinion, as I understand, that questions affecting the doctrine of the Church of England may be tried and decided by a Roman Catholic Chancellor sitting alone in the Court of Chancery. Surely no man can set up as a judge of the doctrines of the Church a gentleman who honestly disbelieves them. The 17th Section of the Act referred to is in reality the strongest argument against the Bill, for the very fact that Sir Robert Peel, by a distinct clause, met the case of a Roman Catholic gentleman promoted to an office to which ecclesiastical preferment was attached, and provided that such preferment should then be exercised by other persons, shows clearly that a Roman Catholic was excluded from the Chancellorship by reason of the distinct relationship of that office to the Government of the country. Then, the Lord Chancellor is a member, *ex officio*, of the Ecclesiastical Commission, and thus shares in the control of the whole property of the Church. Any Roman Catholic gentleman who should be called upon to perform such duties would at once feel that he had no right to undertake them. With the exception of the Lord Lieutenant and the Lord Chancellor all the other Crown officers in Ireland may be Roman Catholics, and most of the appointments had been filled by members of that communion; but from the duties incident to these two officers it had always been held necessary to retain the excepting clause concerning them. But what I want to ask of the Government is, that if all these offices may be filled by Roman Catholic gentlemen, in a matter of Church patronage to whom is the Lord Lieutenant to apply for advice, and whom is he to consult? I do believe that when these facts are submitted to Roman Catholic gentlemen they will hardly say that Mr. O'Connell and their clergy were in the wrong when they pronounced the Bill of 1829 as being one that left nothing further for them to ask and nothing further to desire. It is a mistake to describe the Lord Chancellor of Ireland as a mere Judge in the Court of Chancery. You must sever from the office all his political functions, and he must not advise the Viceroy on matters of faith or religion. On these grounds I think this is a Bill that cannot pass in the condition in which it now stands. I find by an Act of the Legislature that any person professing the Jewish religion is expressly precluded from holding, among other offices, that of a Judge of the United Kingdom, or of Regent of the United Kingdom, of Lord Chancellor, of Lord Keeper, or of Lord Lieutenant of Ireland. The Jew therefore is excluded; and yet he has no prejudice on the subject, he is neither Protestant nor Catholic, and must in that sense be assumed to be perfectly impartial; but what could be more indecent than to appoint a person who repudiates all believe in the Christian religion to hold an office the duties of which involve the maintenance of the rights and property and the doctrine and purity of the Christian Church? I think the people of this country will never allow this Bill to pass. I believe it to be impolitic and unnecessary, that it is not called for by any overwhelming necessity—that it cannot pass in the state in which it stands, and, therefore, I shall support the Motion of my hon. Friend.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the right hon. and learned Gentleman has made such distinct and repeated appeals to me, in the character of representative of the University of Oxford, that I hope the House will indulge me while I endeavour to afford him the information he asks at my hands. The right hon. Gentleman desires to know whether I intend to vote for the second reading of this Bill. I have to state that I do intend to vote for it and, further, that I shall do so with as clear a conscience as I have ever before given a vote in Parliament. The right hon. Gentleman, to whom I always listen with the utmost pleasure, has appeared before us to-night in a somewhat novel character—in the character of the defender, and almost as the disciple, of Sir Robert Peel, and seems to be alarmed lest some Members of this House should now be such traitors to his memory as to support a measure so destructive of the constitution as that before the House. I always thought, according to some persons, that Sir Robert Peel had himself betrayed the Church and destroyed the constitution in the year '29—and it is with satisfaction that I learn somewhat late in 1859 that, on the contrary, Sir Robert Peel was a great man, who discerned with a sagacious eye the precise limits to which you might proceed and beyond which you might not go; and the right hon. Gentleman is now the faithful representative of the principles of which Sir Robert Peel was the advocate. The right hon. Gentleman produces one case and another case of *quasi* ecclesiastical functions which, he says, may be exercised by the Lord Chancellor of Ireland, and he thinks he has thereby established a case for saying to the Roman Catholic barrister "however learned and distinguished you may be in your profession—however unimpeachable you may be in character and conduct — nevertheless you, being Roman Catholic, shall not be allowed to attain the highest prize in your profession." Now, such sentiments on the part of the right hon. Gentleman are not exactly in accordance with the more mitigated opinions he held when sitting on the Ministerial side of the House. Perhaps the House may bear in mind — I know many Members will recollect—a prophetic portion of a speech delivered by my right hon. Friend the Secretary for War, sitting then on the Opposition side, in which he congratulated the then Attorney General for Ireland on the liberality of his sentiments towards his Roman Catholic fellow-countrymen, and expressed a hope that he might retain those sentiments when he passed from the right hand of the chair to the left. I think the speech of the right hon. Gentleman to-night indicates a very considerable retrogression. Let it be tried on its argumentative grounds. I consider them trivial, paltry, secondary. What says the right hon. Gentleman? He says the Lord Chancellor of Ireland exercises ecclesiastical patronage. I grant that he has a vote, along with five or six other persons, in the appointment to two livings in the City of Dublin. Surely that circumstance does not constitute a ground of disqualification to a Roman Catholic as proving the possession of ecclesiastical patronage; and whether that be an exercise of ecclesiastical patronage or not, it is a function that may easily be provided for by a clause introduced into the present Bill. He says the Lord Chancellor of Ireland is an *ex officio* member of the Ecclesiastical Commission. I believe he is not quite accurate in that statement, for the Act, if I am not mistaken, provides that he shall be a member of that Commission if he be a member of the United Church of England and Ireland; consequently if he be not a member of that Church, he cannot be a member of the Ecclesiastical Commission; that objection, therefore, entirely falls to the ground. Well, then, says the right hon. Gentleman, the Lord Chancellor may be one of the Lords Justices of Ireland. If I read aright the Act of 10 *Geo.* IV., it is distinctly provided in the 12th Section that nothing therein contained shall be construed to enable any person professing the Roman Catholic religion to exercise the office of Regent of the United Kingdom. Nor would this Act enable any Roman Catholic to enjoy the office of the Lord High Chancellor of Ireland, or the office of Lord Lieutenant, or other chief Governor or chief Governors of Ireland. Now, that prohibition against filling the office of chief Governor or chief Governors of Ireland this Bill does not propose to alter. The right hon. Gentleman further says, that there is an appeal in ecclesiastical matters to the Court of Chancery to determine questions of religious doctrine and discipline. I do not believe that the meaning or practical interpretation of the prerogative of the Crown to which the right hon. and learned Gentleman has alluded is that the Lord Chancellor, either in England or Ireland, is the sole judge in matters of ecclesiastical jurisdiction. Upon matters of law I am not competent to speak, but I do not believe that the functions of the Lord Chancellor imply any personal participation or adjudication upon questions of religious doctrine or discipline. We know that a distinguished member of the late Government, in encountering objections to this or that scheme, exclaimed, "it is a question for Committee." Well, if these points be well raised, they are still questions for Committee. Let us look at the main issues of this Bill, and not at any paltry trivial and secondary matters. In 1829 you passed an Act, the principle of which was that Roman Catholics, notwithstanding their religious opinions, were admitted to the exercise of the functions of every civil office. There were certain limited exceptions introduced into that Act; but this principle was adopted, that whenever the purpose and scope of these offices were civil, those offices might be filled by our Roman Catholic fellow subjects. Will any man contend that the office of Lord Chancellor, in its main scope and purpose, is anything but a civil office? If he has other functions, which take up one-sixth of his time, is it for those functions that the office exists? It is not, in substance, a legal and judicial, but strictly secular duty that he is called upon to discharge. Therefore it is but in accordance with the spirit of that Act to remove the disability which exists against Roman Catholics attaining that high office. Day after day, year after year, the Lord Chancellor of Ireland sits in the Court of Chancery, as a lawyer, discharging merely legal and civil functions, and does any one dream of those phantoms of an appeal upon questions of ecclesiastical discipline which disturb the mind of the right hon. Gentleman? The right hon. and learned Gentleman has referred in terms of eulogy to the speech of Sir Robert Peel and the Act of 1829. But if I experience sentiments of satisfaction that the day has come when I may support this Bill, these feelings are mingled with sentiments of regret that it could not be recommended with a good prospect of success to the British House of Commons until thirty years after the other Act had been passed?

MR. WALPOLE: Sir, after a speech of so much importance as that which we have just heard—which does not, I think, do justice to the argument of my right hon. and learned Friend—the House would be unwilling to break up without hearing some answer to a speech more remarkable for eloquence than for strong argument against the objections to the Bill. My right hon. Friend states that certain ecclesiastical patronage belongs to the Lord Chancellor of Ireland. If I understood the purport of my right hon. and learned Friend's argument—and a more able one I never heard—that argument has been entirely passed over by the right hon. Gentleman who has just sat down. It was that the Lord Chancellor of Ireland was an office, not of merely a civil character, which every professional man might justly look to possess if he had sufficient knowledge, ability, and learning, but that Sir Robert Peel had excluded certain offices as exceptions to the rights conferred upon the Roman Catholics as offices connected with the Crown, and offices belonging to the delegates of the Crown. My right hon. and learned Friend quoted a Cabinet paper and an Act of Parliament. My right hon. Friend might have quoted Sir Robert Peel's speech in which he puts the exceptions distinctly on this ground, that the Lord Chancellor was the representative of the Crown in matters of Government, and that the privilege of holding this office could not be extended to Roman Catholics on this account. And then the right hon. Gentleman talks of the trivial, paltry, and secondary reasons of the objections to this measure. Well, Mr. Speaker, are we to have settlements of these questions or not? And, when these settlements are made deliberately by great authorities and agreed to with great circumspection and care, are they to be disturbed without sufficient reason being shown? or is it not incumbent upon you, the advocates of this Bill, to show reasons for the justice and necessity of so doing, instead of calling upon us to show why the settlement should not be disturbed? It is said that Roman Catholic barristers are not excluded from holding civil offices under the Crown. My right hon. Friend has met that argument, and then the Chancellor of the Exchequer twits him with being less liberal than he was. I think that reflection might have been spared. I have had much intercourse with my right hon. and learned Friend, both in and out of office. I never heard a word in contradiction to the speech which the right hon. Gentleman has commended, and both the House and the country will remember that he has not uttered a word in contradiction to those liberal sentiments. The right hon. Gentleman says that the office of Lord Chancellor is a civil office. Sir, that is the whole question. If it be not an office connected with the Government, and one making the holder *pro tanto* a representative of the Crown, I will give up the whole case. Do you at this moment exclude a Roman Catholic from any purely civil office not connected with the government of the country? Not one. The highest honours are open to him. He may fill the office of Lord Justice of Appeal, who is as high a civil judicial officer as the Lord Chancellor, and every Roman Catholic professional man may justly look forward to the possession of that office. I think it is hardly fair to say that my right hon. Friend puts the exemption upon slight or trivial grounds, when you allow every office of a civil character to be possessed by our Roman Catholic fellow subjects. You permit them to hold every office which may be filled by Protestants, with this proviso, that they may not hold any office which can in any way impair the Protestant Government of the country, that Government being secured by the Act of Settlement to those who are Protestants, and the Lord Chancellor being the person representing that Protestant Government in Ireland as well as in England. The right hon. Gentleman has referred to perhaps the most eloquent speech delivered in this House during the present year, the speech of my hon. Friend the Member for Hertfordshire (Sir E. Bulwer Lytton), now unfortunately absent from the House, in which my hon. Friend said, "Well, but these are questions for Committee." I took exception at the time to my hon. Friend's speech in that particular, I intend to take exception to the same argument still. Not many days ago a Bill was brought into this House on one pretence and argued upon another. You were forced to send that Bill to a Select Committee, and if ever it comes from that Committee there will be hardly one word in the first clause of that Bill which will remain. You have now brought in a Bill upon what you may have thought to be a trival and a light matter until the argument of my right hon. and learned Friend, and then, when you have heard that argument, you suggest that the provisions may be settled in Committee. I think this course can only be taken where all the material provisions of the Bill are of such a nature that you can assent to them. Otherwise I think that the only legitimate way of dealing with a Bill like the present is to reject it on a second reading, and require its authors to be more circumspect in future. There is one other argument to which I wish to allude. I have urged that argument on other occasions, and even urged it against the wishes of many of my friends near me; but I am convinced of the importance of maintaining what is justly called the principal object of Sir Robert Peel—namely, the establishment of peace and union in reference to these subjects. My deep conviction is that you never will have peace and union until you agree to abide by the deliberate Act of Parliament which has passed into law. Any attempt to disturb that law without great and cogent reasons will only tend to destroy that peace and union which we all desire. We have arrived at a period when these subjects are by general consent sought to be removed from the field of controversy here, and any attempt to reopen such a question is not likely to promote peace or union. I hope I may be understood as speaking without the least intention to offer disrespect to my Roman Catholic fellow-subjects, and I trust I have not said a word that can tend to impair the peace and union which we all desire; but I believe that can best be preserved by abstaining from any interference with the deliberate settlement of Parliament, unless very strong reasons can be shown.

COLONEL DICKSON moved the adjournment of the Debate.

VISCOUNT PALMERSTON: I hope the House will come to a decision upon the Bill this evening. The subject has been sufficiently discussed to enable every Member to make up his mind, and if we are to judge from what has passed in the debate, there are some Gentlemen whose minds have been made up long ago. I cannot see how Members can be pressed to come to an abrupt dissolution upon that which I may perhaps, without disrespect, call the Holy Alliance, which not long ago existed between them. Members on the other side of the House seem to have awoke as from a dream to their former sentiments; and notwithstanding the appearances which presented themselves when they sat on this side of the House of greater liberality on their part on subjects of the kind we have been discussing this evening than had previously distinguished their career, it seems now that their sentiments belonged only to the occasion. It now appears that they have reverted to the sentiments they previously expressed. Well, Sir, I cannot concur with them in the objections which they have made to the Bill. Though the Bill may repeal a part of the letter of the Emancipation Act, it is in strict conformity with the spirit in which that Act was founded. The spirit of that arrangement was, that the Catholic should be admitted to every civil and political function which was not connected with any ecclesiastical authority. I think it is proved that the office of Lord Chancellor of Ireland is a purely civil, political, and judicial office. He may occasionally have the disposal of a few small livings in Dublin; but it is dealing lightly with this great subject to pretend that he possesses ecclesiastical patronage, and that on that account an Irish barrister ought to be deprived of the right of fairly and legitimately arriving at that distinguished position. I hope the House will not be led away by those unsound attempts at argument on the part of the right hon. and learned Gentleman opposite. The question is one of the simplest nature. Here is an office which is proved to be mainly judicial, and to which every Irish barrister is entitled to look up as the object of his professional ambition; and I see no reason whatever for connecting it with the security of the Protestant religion of the country, or of the Act of Settlement, or of any of the institutions which we all hold dear and sacred. I see no rational ground whatever for pretending that any of those laws and institutions would be placed in the slightest peril by allowing an Irish barrister to aspire to the honour of being the Lord Chancellor of his country. I therefore hope the House will come to a decision on the question this evening. If it be shown there are any contingent circumstances which it is necessary to guard against by special provisions, when the Bill goes into Committee, we shall be prepared to consider any proposition which may be made on the subject; but if there be no argument brought forward to induce the House to reject the second reading of the Bill, I do trust that, for the character of the House and the honour of the country, the Bill will not be rejected. The measure is so simple and plain, and so strictly in accordance with the spirit of the settlement made by Sir Robert Peel, that I doh ope the House will this evening agree to the second reading.

MR. DISRAELI: Whatever may be our decision, the question before us is one of high importance; and I must say I am surprised at the tone of the noble Lord. It is difficult to imagine any subject more deserving of calm, grave, and deliberate discussion. The noble Lord rose to speak upon the question of adjournment, but he made a speech upon the Bill; yet I must say of the observations of the noble Lord that for the information he has given us, and the general knowledge he has evinced upon the subject, it would have been better if the noble Lord had confined his observations to the question of adjournment. I cannot say that the question is to me as clear as it appears to be to the noble Lord. On the contrary, it is one evidently of some difficulty and very great doubt as to the nature of the functions which the Lord Chancellor of Ireland has to fulfil. No two Gentlemen who have addressed us have agreed upon that point. My right hon. and learned Friend laid down certain propositions, but the Chancellor of the Exchequer who replied to him, did not agree either in arguments or facts. This is a subject upon which the House ought to have perfect information. We are asked to disturb a great settlement. That disturbance might take place if really and justly required; but we have a right to demand that the question shall be completely laid before the House. It is possible that some of the conditions upon which Roman Catholic Emancipation was granted years ago, may have become obsolete and inapplicable to present circumstances; but it is certain that we ought to have complete evidence of the facts, and, if facts, that a fit remedy should be provided. Under ordinary circumstances when a settlement like this is brought under our notice, the proper persons to take the responsibility of it are the Government of the day. It ought to be brought forward by those who are in high position, and who are responsible for that mature and business-like performance which the country expects when such great interests are concerned. I do not mean to say that if the Government elected not to come forward on the subject, an independent Gentleman is precluded from exercising his privilege and soliciting the opinion of the House of Commons on the matter; but what I maintain is, that if an independent Member comes forward on such a subject, he ought to show in the Bill he introduces that he has completely and deeply considered the question, and that he is prepared to meet all the difficulties which dealing with it entails on the House. No one who has risen has pretended for a moment that the Bill introduced to our notice fulfils these conditions; and the noble Lord has no right to treat the question as he has treated it to-night—as if Gentlemen on this side of the House had evinced hostility to some measure so admirably contrived and perfectly finished, that the Government had a right to show some natural impatience at the opposition offered to the measure. On the contrary, those who support this measure confess (and in some sort offer excuses in its defence) that it is utterly inadequate to the occasion. They tell us that the Committee is the proper place where the deficiencies are to be supplied and the remedies to be brought forward. Now, my experience of Committees of the Whole House is not of a nature so encouraging that I can easily believe that those who are anxious to introduce any clauses of the kind referred to would be fortunate in such an enterprise. A Committee of the Whole House is a very good occasion for criticism, for amending clauses, and for introducing new clauses as connected with preceding clauses; but such a Committee is not an occasion on which a Bill can be prefected which has deficiencies on every single head with respect to which clauses ought to be brought forward. My own opinion is that if ever there was a question which ought to be referred to a Select Committee, this is one, and I should like to see it so referred, and that the Committee should inquire what difference exists between the functions of the Lord Chancellor of Ireland and those of the Lord Chancellor of England, and what there is to incapacitate Roman Catholic gentlemen from performing these functions. I believe that a Select Committee might obtain at this moment satisfactory evidence from witnesses of high character and complete information. You have in this country several ex-Lord Chancellors of Ireland. You might summon Lord Campbell, Lord St. Leonards, and other individuals equally eminent, who, I believe, are at hand. The business of the Committee would not be one of very great length, and you might in a very short time have the opportunity of meeting this question in a way adequate to the occasion. The Bill then would appear before us in a very different shape, and the matter would be dealt with in a manner that would give satisfaction to the country. So far as I am concerned, if the Government give their consent to refer the Bill to a Select Committee with the distinct object I have laid before the House, I should support the second reading of the Bill; but if, on the other hand, the Government will not meet a proposition in my mind so temperate and proper for the occasion, and one which would give general satisfaction, I shall then feel it my duty to take another course. I hope, however, that the Government will feel on reflection that this is a proper mode of dealing with the question. Let the Committee be composed of eminent men from both sides, and let witnesses of the high character and station to which I have alluded be examined, and let us clearly understand what difference exists between the functions of the Lord Chancellor of England and of the Lord Chancellor of Ireland. Let it be clearly understood what functions of the Lord Chancellor cannot properly be fulfilled and discharged by a gentleman professing the Roman Catholic faith; and let the result of the labours of the Committee be placed before the House. That course would be more satisfactory than a hurried and precipitate decision on a subject which, whether we consider the opinion of large classes of the people or the important character of the question itself, is doubtless a question of great weight, and one which ought to be treated by the House with gravity and calmness.

SIR GEORGE LEWIS: Sir, the right hon. Gentleman has made a direct appeal to the Members of Her Majesty's Government to state what opinion they would express on a certain course he has proposed, and I have risen simply to give an answer to that appeal. I will give that answer in the fewest number of words; but before I give the answer, I think it right to take notice of one or two points which were touched on by the right hon. Member for Dublin University (Mr. Whiteside). That right hon. Gentleman commented upon a remark of mine made in a previous debate. I ventured on a previous occasion to say, that in my opinion Sir Robert Peel, in disqualifying Roman Catholics from the office of Irish Chancellor, had acted inadvertently. That expression has been much criticised during to-night's debate, and I will now repeat, after consideration, and after hearing the remarks of the right hon. Gentleman, what I believe to be the real fact with regard to the origin of the enactment we are now considering. It is clear that Sir Robert Peel introduced into his measure the Irish Chancellor, because he found that office coupled with the English Chancellor in previous Bills brought in by the professed advocates of the Roman Catholic claims. My conviction is, looking to the expressions he used during the debates, that he was under the impression that the Irish Chancellor had ecclesiastical patronage. I draw that inference from words used by Sir Robert Peel in Committee, and my firm belief is that in introducing the measure, and recommending it to the House, both he and the House of Commons were under the impression that the Irish Chancellor did possess some considerable ecclesiastical patronage. And now I repeat my assertion, that the Irish Chancellor cannot in strictness be said to have any ecclesiastical patronage, because he is merely one person in conjunction with several others in the disposal of the appointments. With respect to any ecclesiastical patronage the Irish Chancellor might hold, his exercise of it is completely guarded by the provisions in the Catholic Relief Act. Therefore, as regards the question of ecclesiastical patronage, the matter stands entirely plain, and the only subject which can be deemed open to consideration is the jurisdiction which he may have in certain cases affecting the Protestant Church of Ireland, and which it might be thought improper for a Roman Catholic to exercise. That is the entire extent of any reasonable doubt which can be said to exist with regard to the measure before the House. Some new points have undoubtedly been brought before the consideration of the House during to-night's debate which never previously, to my knowledge, were adverted to. I do not believe, however, that they have any practical importance, though I admit that they have a theoretical force in argument; and before any legislation can take place, it is necessary that they should receive a careful, deliberate, and respectful consideration. I am prepared to recommend my right hon. Friend who has the charge of this Bill to agree to the proposition of the right hon. Gentleman (Mr. Disraeli), to let the Bill be read a second time. ["No, no!"] That, I understand, is the proposition of the right hon. Gentleman opposite—to let the Bill be read a second time, and then to refer it to a Select Committee, in order to a consideration of those material and reasonable objections that have been raised during the debate.

MR. BANKS STANHOPE opposed the Bill on one great and distinct principle. This question had been settled in 1829, and he opposed any interference with that settlement. That was a principle which no Select Committee could affect, and therefore he would oppose the appointment of any Committee.

SIR WILLIAM SOMERVILLE, in reply, complained of the imputations which had been cast upon his motives by the Mover of the Amendment and by the right hon. Gentleman the late Attorney General for Ireland. His only motive was to do an act of justice. The question had been asked, why the Government allowed him to bring forward such a Bill? His reply was that he was an independent member, and though he supported the Government he would not ask their consent to any measure that he brought forward. The right hon. Gentleman (Mr. Whiteside) sneered at his motives, and spoke of this measure having been brought forward, after some other leading measures had

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been got out of the way, in order to give a place to some learned Gentleman or other. He repudiated any such motives.

MR. WHITESIDE said, he had not made any such imputation. He had stated that when certain great national measures were disposed of then this measure was introduced.

MR. WILLIAM SOMERVILLE said, the right hon. Gentleman did not speak in the quiet way he now did, but in a very excited and sneering manner, and talked of the "indecent measure" which he had introduced. He thought that his general bearing in that House did not entitle the right hon. Gentleman to make use of such language towards him. He would accept the proposal of the right hon. Gentleman (Mr. Disraeli), and when the Bill had been read a second time remit it to a Select Committee.

SIR WILLIAM MILES thought the question of adjournment had been lost sight of, and hoped the hon. Gentleman who moved it would insist on his Motion being put. He would be no party to the Lord Chancellor of Ireland being a Roman Catholic till he was convinced that they were not undoing what had been done in 1829.

COLONEL DICKSON was anxious to meet the wish of the House that the question should be calmly considered; but as the discussion of the general question had been resumed for some time he would withdraw the Motion of adjournment.

SIR WILLIAM MILES said, he would, in that case, move the adjournment again, if nobody else did.

MR. SPEAKER was then about to put the Question "That the Debate be now adjourned;" when

LORD CLAUD HAMILTON rose and attempted to address the House: but was met with such continuous cries for a division, that the noble Lord sat down.

Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 142; Noes 210: Majority 68.

Question again proposed.

SIR EDWARD GROGAN then moved "That the House do now adjourn."

Lord PALMERSTON and Sir GEORGE LEWIS deprecated this Motion, and it was *negatived*. Finally,

Debate adjourned till *Tuesday* next.

House adjoured at Two o'clock.

HOUSE OF LORDS,

Wednesday, July 13, 1859.

Their Lordships met, and having gone through the business on the Paper,

House adjourned at Four o'clock, till To-morrow, Half-past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, July 13, 1859.

MINUTES.] PUBLIC BILLS.—1° Settled Estates Act (1856) Amendment.
2° Church Rates Abolition; Salmon Fishery; Tramways (Ireland); Railway Companies Arbitration.

CHURCH RATE ABOLITION BILL.

SECOND READING.

Order for Second Reading read.

MR. DILLWYN said, that in the unavoidable absence of the hon. Member for Tavistock (Sir J. Trelawny), he rose to move the second reading of this Bill; but as the question had been already amply discussed, he should not detain the House by any observations of his on the subject, susceptible as it was of so little novelty in the way of argument. It might be said that the present was a new Parliament, and therefore some explanation of the Bill was necessary; but there were so few new Members in the present Assembly, and they were all so well acquainted with the bearings of the question, that he should simply content himself with moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. DU CANE: Sir, I rise to move the Amendment of which I have given notice, that this Bill be read a second time this day three months. In one respect I can certainly agree with the hon. Member who has just spoken, that the question involved in this measure is one which has been so amply and ably discussed in this House, especially during the last two Sessions, that I could well imagine the House would be content to abstain from lengthened argument on the present occasion, and give a plain aye or no to the proposition before them. But remembering as I do that it is a new Parliament in which we are assembled to discuss this question, and having hitherto contented myself with a silent vote, I am induced to request the indulgence of the House while I state, as briefly as I can, the arguments I have to urge against the adoption of this measure. Sir, I am one of those who, in the absence of any satisfactory solution of this difficulty by way of compromise or equivalent, are prepared, as heretofore, to stand by the maintenance of the existing law with all its imperfections, rather than give their assent to the passing of a measure which they believe to be an act of simple spoliation, and the first step to the destruction of the Establishment of the country. I am willing to admit the signal failure which befel the measure of compromise attempted by Her Majesty's Ministers in the late Parliament, but I must say, at the same time, that I have always attributed that failure, not so much to the intrinsic demerits of the measure itself, as to the position of the late Government in respect to the avowed numerical strength of the whole body of its supporters. And I am not one of those who, looking either at the composition of the present House of Commons, or at what I believe to be the real feeling of the English people, can believe that the hour is come when the doom of church rates must be irrevocably pronounced, and that the measure before us is the sole solution of the difficulty. On the contrary I am induced, in the first instance, to offer my opposition to the second reading of this Bill, from a sincere and honest conviction that by allowing it to pass this stage of its existence any chance of arriving at a satisfactory settlement would be materially lessened, if not wholly destroyed. I know it may be said, only allow this Bill to go into Committee and you can there mould it to your own liking, and engraft into it such provisions as will attain the end of which in their hearts a majority of this House may be desirous. Now, we have heard a great deal of late, even I might say up to an early hour of this very morning, about going into Committee. And I think that during a recent very memorable debate we had these two broad principles urged with great force by hon. Gentlemen opposite; first, that when you dissent from the main principle of a Bill, it is impossible that you can consistently support its second reading; and, secondly, that it is impossible that you can make alterations or amendments in a Bill, in any way affecting its principle, without accomplishing the destruction of the measure itself. Now, the principle of the measure before us is one about which I think no difference of opinion can exist by any possibility in the mind of any Member of this House. It has been the custom in former church-rate discussions for those who oppose their abolition to appeal very justly to the extreme antiquity of the charge; but the principle of this Bill is, I think, a still more ancient one, and reminds us of those days of primeval simplicity when we were governed on—

"The good old rule, the simple plan,
That those should take who have the power,
And those should keep who can."

The principle of this Bill is the simple and entire destruction of the maintenance of the fabric and services of the Established Church of this country by any other fund than that which may arise from voluntary contributions. There is no room left here to engraft a compromise; the Established Church is called upon briefly and emphatically by this Bill to stand and deliver, and she must either be prepared to give up all, or to offer to so resolute and determined an adversary an equally resolute and determined resistance. But then again, it may be said on the present occasion, as I have heard it urged on previous discussions, "Only abolish church rates once for all, and you will find your account in the subsequent ease with which you will be able to provide an equivalent in some other and less obnoxious shape." Now this is an argument which appears to me to be based on the principle on which we are told that Jeddart justice was formerly administered, "Hang your man first, and try the merits of his case afterwards." That all the evil consequences many have ventured to predict, and which I myself apprehend from the abolition of church rates, will eventually be realized, I cannot confidently pretend to say. But I will venture to predict thus much with some confidence, that church rates once unconditionally abolished any subsequent legislative attempts at providing an equivalent will be encountered with equal hostility, and will be found equally impracticable. You may, as I have heard it sometimes proposed, pass the sentence, and postpone the execution, with a view to its subsequent mitigation; but you will find it in vain then to talk of fabric rates to be paid by churchmen alone, of voluntary commutation, or any other form of compromise. We shall have crossed the Rubicon once for all, we shall have adopted "vestigia nulla retrorsum" as our watchword, and for better or worse, as the case may be, the fabric of the Established Church will lean for support alone upon the somewhat slender reed of voluntary contribution.

Now, Sir, I have no wish upon the present occasion to weary the House, by going at length into the complicated history of the church-rate controversy, or the various forms of compromise that this House has successively discussed and rejected. I consider that I stand here to-day to defend a principle, and not to argue a question of compromise. I have no wish to plunge into the lengthened annals of the celebrated Braintree case, or to investigate minutely the question, whether we are to regard church rates as a charge upon property, or a charge upon the person in respect of property. As far as this somewhat infinitesimal distinction is concerned, it will, I think, be sufficient to remember that for centuries past the property of this country has been held subject to this charge, and that every man who during that period has been an owner, occupier, or purchaser of property, has held, occupied, and purchased that property, knowing that it was subject to this liability. And as regards the Braintree case, it will also, I think, be sufficient to call to mind, that by the law of the land as repeatedly laid down by the Judges of the land in that case, every parish is bound to keep in repair the fabric of its church. It is very true, that by the final decision of another place, which laid down the principle that no rate can be legally levied that had not previously obtained the consent of a majority in vestry, that law is in many instances, especially in the large and populous urban districts of this country, rendered of no effect. But then comes the question, as far as the majority is concerned. "If this be the present state of the law, where is the grievance of which you complain." It is a sore grievance to the Established Church of this country, that owing to an imperfect and unsatisfactory state of the law, she is deprived of no inconsiderable portion of her just and legitimate revenues; but I cannot for the life of me understand the hardship to that majority who have long ago availed themselves of that imperfect state of the law to get quit of a burden they are indisposed to bear. I can understand the argument of a minority who urge, "We are called upon to contribute to the maintenance of a church from which we differ, and which we do not frequent, and we claim exemption from such payment on the ground of conscientious scruples." That, although I may dispute its soundness, is at least a plain intelligible argument, and to such I would say, "If you are honest and sincere in your use of it, meet us in that spirit of peace and conciliation in which we have offered, over and over again, to meet you; but in which you have never yet responded to our advances, and even at the eleventh hour an arrangement may be come to satisfactory to both sides." But I confess I have never yet been able to understand upon what principle of equity and justice it can be urged, that because in one-twentieth of the parishes of this country a majority has the means of successfully objecting to the payment of this charge, it is the bounden duty of this House to subject the remaining nineteen-twentieths to an act of arbitrary prohibition. Because it is urged on the one hand by the majority of the inhabitants of certain parishes chiefly in towns, "We have conscientious scruples against the payment of this rate, which under the present state of the law we have not paid for years past, and may never be called on to pay again—you are to say to the whole mass of rural parishes—'We forbid you also to make this payment which you have hitherto paid cheerfully, and against which you have never yet dreamt of protesting.'" And we call upon you to do this, knowing as we do that the voluntary principle is already insufficient, and believing as we do that by such an act of legislation, you will cut off from some hundreds of remote rural districts, the sole means by which a fund can be raised for the repair of the fabric. This, I venture to affirm, is the real spirit of legislation that the House is called upon to affirm, by passing the second reading of this Bill, and I say that so long as you maintain in this country the principle of an Established Church, such legislation as this is nothing but legislating in favour of the pockets of the rich against the interests of the poor. It is nothing but an act of injustice or of spoliation not merely to that Church itself, but to the labouring poor of the land, in whose most vital interests it is that that Church should be maintained.

Well; but then, Sir, it has been a favourite argument of late in discussing this question, that the Established Church is no longer the Church of the majority of this country; and, indeed, it was only a short time since, that the hon. Member for Birmingham (Mr. Bright) in addressing his constituents made the somewhat startling assertion that at this moment, according to the statistics of the Registrar General, only one-third of the people of this country have any connection whatever with the Established Church. Now, Sir, that the relations of the Church towards the great mass of the people have most materially changed since the first imposition of this charge every one who is in his senses must, I think, most fully admit, but to say that only one-third of the people have any connection whatever with the Established Church is to make one of those somewhat reckless assertions with which, during the past few months the hon. Member has delighted to electrify his Birmingham constituents. Why, Sir, Mr. Mann's analysis of the census of 1851 proves most fully that at that period the National Church provided accommodation for more than one-half of the total population able to attend at one time a religious service. This was the case in 1851 since which time an accelerated movement of Church extension must be taken into consideration. And the same report proves most fully another startling fact, which the hon. Member, if my memory serves me aright, forgot to state, but which is of the utmost importance in considering the efficiency of the voluntary system, that at this moment a million and a half of the population of the country are wholly unprovided with the means of any religious worship whatever. And was the hon. Member, when he made this assertion, also aware that recent educational statistics have proved that 80 per cent of the existing schools for the poor are in connection with the Church of England, and of two millions of children between the ages of 3 and 15 that are receiving education 78 per cent of the total are in connection with the Established Church. And did he, may I ask, know this fact also, that according to the official returns of the marriages contracted in England and Wales 84 per cent of the whole number were solemnized by the Church of England, 11 per cent by Romish, Protestant, and Jewish ministers, and 5 per cent at the Registrar's offices. Surely in the face of such statistics as these, the assertion that not one-third of the people of this country have any connection with the Established Church will be found somewhat difficult even for the hon. Member for Birmingham, with all his well known eloquence and ingenuity of argument, to sustain, and ought not to have much weight with us in determining the merits of this question. Well, Sir, but then we are told by the hon. Baronet and others who support this Bill, that as far as the maintenance of its fabric is concerned, it is in the best interests of the Church itself that it should lean for support upon individual generosity. When we urge that even now the voluntary principle is notoriously insufficient, that even now in many places where the rate has been discontinued, the fabrics of the Church are falling into decay, we are told that the abolition of church rates will be the signal for the letting loose a flood of voluntary contributions, and that this stumbling-block once removed, Dissenters will vie with Churchmen in liberality towards the parent establishment of this country. Now, Sir, God forbid that I should for one moment speak disrespectfully of that unostentatious and yet princely munificence in the cause of religion and of education which is common alike to Dissenters and to Churchmen, and which is to my mind one of the noblest features of the English character. But I am one of those who believe that a great truth is embodied in the saying that the spread of religion and education cannot be regulated by the ordinary laws of demand and supply. To quote again those expressive words of Dr. Chalmers, that were so effectively introduced by my right hon. Friend the Member for Cambridge University (Mr. Walpole) in his able and eloquent speech of last Session: "Christianity must go forth in quest of human nature, for human nature, unprovided and uninstructed, will never go forth in quest of Christianity." I must confess that if we are to augur from the present as regards the future I should like to have some stronger guarantee than mere assertion that we should not be realizing the old fable of dropping the substance to grasp at the shadow. How is it, I would ask, in the first instance, that even with this charge existing, the charitable resources of the country, public and private, taxed as they are to their utmost strength, increasing, too, as they are year by year, are utterly insufficient to minister to the spiritual and educational wants of an increasing population. And when we are told of the withheld contributions of Dissenters, how is it, let me ask again, that in many parishes where the rate has been for years discontinued, and where, as I maintain, no practical grievance as regards Dissenters can be said to exist, we are told that the voluntary system has entirely broken down, and the churches are fast falling into disrepair and decay. We were told only a few days since by a leading journal, that exercises a powerful hold on popular opinion, that it was the fashion of those who upheld this tottering cause, and caught like drowning men at every straw, to quote the case of some church in some remote district of Cumberland, that, whether church rates were abolished or not, would be more like a barn than anything else. I know nothing whatever of the state of church architecture in Cumberland, but I have heard something of churches nearer home in the large and crowded towns of this country. I have heard something of the state of the churches in Leicester, Northampton and Manchester, and I have read something of a memorial presented by the clergy of Birmingham. In 1856, the clergy of Birmingham presented a petition to this House in which they said,

> "We are able to state that the voluntary system, after a trial of twenty-five years in our churches, has been proved inadequate to supply the want of a church rate."

And in a memorial addressed to the Prime Minister in 1858 they say,

> "We can affirm, after long and painful experience, that nothing can be more unsatisfactory, generally speaking, than what is dignified by the name of the voluntary system as a substitution for the legal rate; while some of the older churches are falling into decay, it is rarely that the contributions for the ordinary annual expenses are to be found sufficient for the purpose.

Such is the testimony of the clergy of Birmingham: what again is that of the clergy of Liverpool? One of the most active and intelligent of their number, Dr. Hume, the incumbent of Vauxhall, Liverpool, says in an able pamphlet on this question:—

> "There is another aspect of the question of still greater importance. At this moment there is practically no provision for the expenses incidental to public worship in any church of this town. In some (the wealthy) this is a question of no importance; in their present condition every want is readily supplied; but in others the case is different, as the people want the means and want the application of the Gospel. There are six or seven churches of this town in which pew rents have almost ceased to exist; and there are about as many others in which they are fast disappearing. So that just in proportion as a church is missionary in its character, and in proportion to the strength

of its claims on the community, those claims are neglected and its wants unsupplied."

Now, Sir, surely with these facts and this testimony staring us in the face, it would be a happy mixture of Quixotic madness and childish simplicity for the friends of the Church to say, we are ready to shut our eyes to the present and to forget the past; we are ready to believe that you who have somewhat disdainfully rejected all offers of compromise made by us in a genuine spirit of peace and of conciliation, have done so all along in our best interests, and that it is out of pure love and veneration alone for the Establishment that you call upon us to surrender this principle. And what, may I ask, is the time at which you call on us to do so? You call upon us to make this concession when each day that passes serves more clearly to develope the real object for which this question is agitated by the most zealous and active, if not the most numerous portion of the Dissenters; when at the very last meeting of the Liberation Society the question as to the expediency of bringing the severance of Church and State before this House was openly debated, and was only negatived on the significant ground that it was better not to attack a fagot bound up, but to endeavour to break it stick by stick. You call upon us to do this at a moment when this same Society openly avows that its ulterior object in pressing on this measure is to effect, at no remote period, (I quote its own words,)

> "The application to secular uses, after an equitable satisfaction of existing interests, of all national property now held in trust by the United Church of England and Ireland and the Presbyterian Church of Scotland, and concurrently with the liberation of these Churches from all state control."

And this is the time at which you call upon us to make an experiment which we consider fraught with peculiar danger to the institutions of this country, and this is the spirit of peace and conciliation we are fated to encounter from the moment we have made it. I venture to say to those who advocate the passing of this measure in the interests of the Church, who think that the abolition of church rates will be the prelude to a lengthened reign of peace and harmony, to such I venture to say you will find, when too late, that you have applied but a temporary salve to the wound of which you complain; you will find in the expressive language of our greatest poet,

> "It will but skin and film the ulcerous place,
> Whilst rank corruption, mining all within,
> Infects unseen."

I cannot doubt that if we thus quietly allow ourselves to be smitten on one cheek we shall in the due course of time receive a much severer blow upon the other; that church rates once abolished we should soon find ourselves engaged in a battle for the defence of tithe and the maintenance of any Established Church whatever.

Sir, I have now stated the reasons for which I offer my opposition to this Bill, and I have said, too, that I considered I stood here to-day to maintain the justice of an ancient institution, not to argue a question of compromise. But I am far from wishing the House to suppose that I am blind to the imperfections of the present state of the law, or that I should not be ready to offer an impartial consideration to any scheme which might still be brought forward with a view of rendering the law more applicable to the present position of the Church and the great body of the people. In default of a fair measure of compromise, I feel myself compelled to stand to the last by the existing law; but most gladly indeed should I recognize in a new Parliament, and above all, in a new Ministry, any disposition to employ its energies in a fair and reasonable solution of this difficulty. We may remember the advice of the ancient satirist, that we should not introduce a Divinity on the stage, unless a difficulty represented itself worthy of his interposition. And, surely, when we consider the vital principles that we have at stake, and the embarrassing position of this question, if not dealt with, bids fair to assume, it may be truly said that here is a subject worthy the intervention of the strongest Cabinet, and the intellectual energies of the ablest statesman. I trust that ere this debate closes we shall hear from some one of Her Majesty's Ministers some clearer exposition of the course it is their intention to take as regards this measure, than was vouchsafed last evening in answer to the question of the hon. Member for Devizes. I venture respectfully to suggest to them that they could not more gracefully inaugurate their reign of practical legislation, or establish a better claim to the gratitude of the country than by devoting that talent which we know them to possess, and that powerful following we presume they can command, to effecting such a settlement of this question as may have a reasonable chance of becoming the law of the land, and allaying all further discontent and agitation. I am well aware that it is no easy task with which I am urging them to grapple. I know that other Ministries have trod the path before them, and failed in the attempt. But while past failures may tend to discourage for the moment a renewal of the labour, are you not warned by the lamp of past experience against the rocks and shoals which have proved the shipwreck of former measures? I am aware, too, that there is another obstacle they may be fated to encounter. I am aware that ere this debate closes they may be fated to hear language repeated in this House similar to that which I regretted to hear used on Wednesday last. They may be told that on the amount of support they are prepared to extend to this measure will depend the amount of support a certain class of politicians are prepared to extend to them. But I will venture to remind them that, though they may gain the temporary adhesion of a section of this House by an unconditional adoption of the measure before us, they may find in turn that they have alienated others from their ranks who are not prepared for so wholesale a concession. They may find that there are those who, while they look to them as the exponents of a Liberal and progressive policy, are not prepared in the garb of Liberalism and under the name of progress to sanction the entire surrender of a principle this House has for centuries held in veneration. I trust, then, that I may claim for my Amendment the united support of Her Majesty's Administration, and that when the division is called this evening we shall not see in our lobby, as we did on Wednesday last, the right hon. Gentleman the Chancellor of the Exchequer as the sole representative of what, I presume, I may term the Conservative element of the present Cabinet. But if the voice that was heard on Wednesday last should again prevail, and this Bill be accepted to-day in its entirety by Her Majesty's Government, the Conservative portion of this House and the country will at least know the ground upon which this battle is henceforth to be fought. They will know that the voice of peace and conciliation has been heard in vain. They will know that the day of compromise is past and gone, that the sentence has gone forth for open war. I doubt not that they will manfully accept the challenge, and present on such an issue a firm and united phalanx to the enemy. They will say to those who, under the guise of conscientious scruples, look upon the passing of this measure as the first step gained towards the permanent separation of Church and State, throw aside the mask you have hitherto worn, and do battle with us on this broad and intelligible issue. You will find, then, that your time and your hour has not yet arrived; you will find then, as heretofore, that a free, a generous, an informed nation, honours the chief ministers of its Church; you will find that in those ties you would so rudely snap, in that noble and ancient union you would so abruptly sever, it has learnt to revere the wisdom and the foresight of those who, by thus consecrating Government and people alike beneath the all-pervading influence of religion and morality, have erected one of the most vital, as I trust it may prove to be one of the most enduring, pillars of the English constitution.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Lord ROBERT MONTAGU said, that in rising to second the Amendment which had been so ably proposed by his hon. Friend, he must claim the indulgence which that House always extended to its new Members. He must ask this favour not only because it was such a short time since he had taken his seat, but also because he had never yet participated in the deliberations of the House. The subject was now indeed trite and worn. It had been handled and debated for the last thirty years. He could not expect, therefore, to add much to debates which had so long endured, nor hope to discover new arguments besides those which had been already employed. The House had now not merely to decide on a matter of church rates; that was not the real question before them. In the Bill before the House there was not raised any question whether the machinery for levying church rates was faulty; nor even whether the State should provide funds in some other way to support the Established Church. By the present Bill those funds were simply cut off; for the effect of this Bill, and the real intention of those who desired the abolition of church rates, was to have no Church at all supported by the State. The late Earl

Grey regarded the question in this light, even when it was newly mooted in the year 1834. This was also avowed in an organ of the Dissenters, published in 1837, which said,—

> "We give notice to Churchmen that, as far as we are concerned we shall not the less earnestly seek for the separation of the Church from the State because we have got rid of church rates. We require the Church of England to be reduced to what she is—one of the sects."

And the noble Lord, the Member for the City of London (to whose opinions all on that, the Opposition, side of the House were bound to bow, and whose judgment hon. Members on his own side had learnt to respect) said, four years ago, that our national Church, our hereditary monarchy. and our hereditary aristocracy would stand or fall together, and that the abolition of church rates must tend to subvert that national Church. Moreover, the Bill at present before the House bore this intention upon the very face of it,—it did not propose to exempt, but to forbid; it did not extend our liberty, but created a new restraint; and if church rates were forbidden we should next hear scruples about paying tithes. If Dissenters now refused to repair the buildings—those silent monuments of the piety of our ancestors—could it be supposed that they would cheerfully pay the minister who preached and spread the doctrines of the Church from which they dissented? The House was now asked merely to abolish church rates; but more, far more, was desired of them. For why were the abolitionists never contented with one of those numerous Bills which satisfied their conscientious objections? Because there was something still in the background—because their objections were aimed at every national Church. If the small pecuniary charge were the real objection, even now a sacrifice could be made to satisfy them. But the 2½*d.* in the pound was not the real grievance; the real burden was the entire principle of an establishment—the connection between the Church and the State. The Society formed to obtain the abolition of church rates (called the Society for the Liberation of Religion from State Control) had openly avowed that they would not have the Church as a national institution, and would oppose all legislation which proceeded upon that assumption. He had just obtained two documents at their office to which he must call the attention of the House. In one of these papers the objects of the Society were promulgated—namely, to procure "the discontinuance of all payments from the Consolidated Fund and of all Parliamentary grants and compulsory exactions for religious purposes;" and also to procure "the application to secular uses, after an equitable satisfaction of existing interests, of all national property now held in trust by the united Church of England and Ireland and the Presbyterian Church of Scotland; and, concurrently with it, the liberation of those Churches from all State Control." The former quotation was directed against church rates, Regium Donum, Maynooth Grant, and so on; the latter was aimed at a severance of Church and State, and the conversion of churches to secular uses. In the other document published by the Society, which stated, by the bye, that "the society was peculiarly dangerous to the establishment," he found the following passage taken from the *Nonconformist* newspaper, but republished by the society, and endorsed with their full approval and sanction:—

> "The society has quietly moved the question into this more promising position without any violent shock to the prejudices of opponents. Any one who remembers what the political world said and thought about the separation of Church and State when the society first came into existence may well stand astonished at the tone in which it is now alluded to by statesmen of all shades of opinion. If the Liberation Society had done nothing else this would entitle it to the respect and gratitude of the country. To it, and to it alone, as a designing agency, belongs the credit of having turned the doctrine of self-government and self-support of ecclesiastical institutions from a theological controversy into a political movement."

Mr. Apsley Pellatt (a Dissenter, one of the executive committee of the Liberation Society, and lately a Member of that House) confessed in 1851 to a Committee of that House, that "Dissenters disliked church rates because of their objection to the union of Church and State." Mr. Sharman Crawford in 1842 (in speaking in the House in favour of the Abolition Bill), said, "The real question is the connection between Church and State, whether there should be a Church Establishment paid by the nation." A similar statement was made by Mr. Miall, another of the executive committee of the Liberation Society, and formerly a Member of that House. Mr. Miall said:—

> "Such a change of law would extinguish the taxing power of the Establishment and dry up one of the sources of its revenue, while the ecclesiastical revenues, applied to the purposes for which

church rates are now levied, would still be national property, and be capable of appropriation to secular purposes at a future time. As yet the Society could not secure such an appropriation; but in the meantime it is a gain if the application of the ecclesiastical funds is so altered as to remove the burdens now imposed on the Nonconformist body."

The hon. Member for Birmingham used these words in this House while speaking in favour of the abolition of church rates:—"I oppose the Church as a religious institution, and doubt very much if it is of any essential benefit to the country." Mr. Apsley Pellatt said in the same debate:—"This (the abolition of church rates) is no longer a Dissenting question, for it is not the function of the State to teach religion." From all this it was manifest that the desire of their opponents was not merely to be freed from an objectionable tax; their principle, as expressed by themselves, was, "that the State has nothing to do with religion;" they desired a severance of Church and State, which was a repudiation by the Government of all care about the religion of the people. The real aim of the Bill, then, was pretty manifest. As the question was so much more momentous than would at first sight appear, he trusted that the House would allow him to turn their attention to the principle of an Established Church in the abstract, without reference to the application of that principle to any particular Church. For Dissenters did not object to the Church of England in particular as a false and unscriptural Church; they disapproved of the whole principle, they disliked a Church Establishment of any kind; they said that the State had nothing to do with religion. The principle of an Established Church was the maxim that every ruler should promote the spread of Christianity in some particular form throughout his dominions; some form must be chosen, for nothing could be real which was without a form. And that form of worship which was chosen by the ruler was the Established Church of the country. The issue, then, before the House was the truth of the maxim which he had mentioned, namely, whether it was the duty of every Government to choose some form of religion and propagate it in the nation which they governed, or whether the State had nothing to do with religion. Now, if they were about to colonize some tract of unoccupied country, they would surely deem it their first duty to establish a church in that country, as they did in New Zealand. They would feel that they must provide for the religious instruction of the people under their charge; that religion and worship would otherwise pine away and die in the colony. But this was still more necessary in an old country than on a virgin soil. There were millions in every country who could not afford to provide the means of instruction and of worship for themselves, and who would not care to do so even if it lay in their power. Were they to allow these to sink lower and lower in the scale of spiritual beings? or were they to levy a rate from those who could pay for the benefit of those who could not? When the State ceased to uphold some form of national worship—when the religion of the country consisted of nothing but a congeries of conflicting sects, how could they expect the untaught millions to make choice where so many differed, or to entertain any respect for a religion about which all were quarrelling? Every nation at all times, and in all places, had seen the necessity of a national Church, whether Asiatic or African, both in former days and up to the present time. The Assyrians had their national worship, and the Persians theirs. The Greeks were very jealous about their State religion, and sacrificed their greatest philosopher to the integrity of their system. The Roman Emperors levied a tribute in support of their religion; and our great Exemplar paid it cheerfully when demanded of Him, although it was not legally due from Him, and although it was in support of an idolatrous and unclean religion. Yet some refused to pay a rate which was legally due, and in support of a Church from whose doctrines they did not materially differ. With the Hebrew nation the principle of a union of Church and State (for he was still speaking of the principle, not of the application of that principle to any special religion) was carried out by Divine ordinance, and a rate of one-tenth was levied for the support of the national church; in obedience to a Divine command. Yet the Jewish Church comprised many sects, which differed more widely than the sects of our own day. Descending to later times, they found that the confession of faith of every Reformed Church had recognized the principle of an established Church. They were many in number, but he would not trouble the House with more than a short extract from two as an example of the rest. The Wurtemberg Confession said, "A king has both a political and ecclesiastical function." The Augsburg Confession goes further, and says, "The proper office of kings is to decide in ecclesiastical controversies, and so defend the unity of the Church." Both of these implied a strict union between Church and State; both asserted that the State had to do with religion. Moreover, all the most eminent Dissenting divines expressed themselves strongly in favour of an Established Church, and the payment of rates by all classes in support of it. If the House would permit, he would read two short passages in support of that assertion. Dr. Owen, in his sermon to the Long Parliament, used these words.—

> "If it shall come to this, that you shall say you have nothing to do with religion as rulers of the nation, God will quickly manifest that He hath nothing to do with you as rulers. It is incumbent upon you to take care that the faith which you have received may be protected, preserved, propagated to and among the people which God hath set you over."

That was the opinion of an eminent Dissenter, that the State had to do with religion,—an opinion that was accepted by the Long Parliament. Matthew Henry used these words:—

> "Let us much more give God praise for the national establishment of our religion; that Christianity is supported by good and wholesome laws, and is twisted in with the very constitution of our Government."

And again, "Church dues, when legally imposed, are to be paid, notwithstanding the existence of church corruptions." There were numerous similar passages in other authors, but he would not trouble the House further on that point. The same principle was recognized in the Coronation Oath; the Sovereign swears to—

> "Maintain the Protestant reformed religion as established by law, and to preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them or any of them."

Now, would they ask the Queen, in the face of this most solemn oath, to give her Royal assent to such a measure as that before them, which did the contrary to "preserving unto the bishops and clergy and churches all such rights and privileges as do by law appertain unto them?" The question, then, for the House to consider was whether they would alter the character of the constitution, and be the only nation of ancient or modern times—of Europe, Asia, or Africa—that would govern a nation without a national church; or whether they would respect the examples of history, the principles of all governments and churches, and the opinions of even Dissenting divines themselves. But they were told that this was a matter of conscience; that Dissenters had a conscientious objection to the payment of church rates. They did not object on the score that the Church of England was false and unscriptural (at least that plea had never been urged in any of the debates). They objected to the State levying a rate in support of any national religion; they disapproved of the union, not of the Church. He was speaking of these who really had conscientious objections. For there were many who objected to church rates because they disliked every rate, and disapproved of every description of payment. He did not address himself to those whose consciences enjoined such a course of action as must result in pecuniary gain; but he spoke of those few whose conscience would cause them to follow a line of conduct, even if it should end in discredit and loss. Doubtless there were some such conscientious persons; but generally, when conscience and interest took the same road, interest led the way and conscience followed blindfold. He would consider the case of those whose conscientious objection to church rates was so great that it even overcame their conscientious objection to the guilt of breaking a law of the land, and outweighed their dislike to pass an act of spoliation and sacrilege. Now there were plenty of Dissenters before 1830; but they never heard of conscientious objections to church rates before that time. Where, then, were their consciences? No one before that year had any conscientious objections to pay tribute to whom tribute was due. In the debates of 1834 the church rate agitation was spoken of, on all sides, as having newly sprung up; conscientious objections were then, for the first time, heard. Neither did Dissenters, as a body, now object; it was merely a few noisy agitators who put on the cloak of religion, and called themselves Dissenters, like wolves in sheep's clothing. Dr. Pye Smith, an eminent Independent divine, discountenanced the opposition to church rates, urging as a reason that the public would have to pay more in police-rates if deprived of so civilizing an institution as the Established Church. Was he then destitute of conscience? Dr. Chalmers, too (a Presbyterian), was always strongly in favour of supporting the Established Church. He said:—

> "We do apprehend that on the overthrow of this

> venerable institution (the Established Church), the same evils now so largely exhibited on all the unprovided remnants of the country, would be realized and multiplied over the whole length and breadth of the land. We must first behold the moral triumphs of voluntaryism, in the many hundreds of surplus localities which are before our eyes, ere we can consent to give up the whole territory into their hands."

Had that great man, then, no conscience? Dr. Cook, of Belfast, also, although a Presbyterian minister, supported the Established Church as "an important bulwark of Protestantism." And, as to the Committee of the hon. Member for Tavistock, had they no consciences when they refused to recommend an abolition of church rates? The national Church of Scotland is the Presbyterian form of worship; and the Episcopalians in that country were in exactly the same position as the Dissenters in England. In Scotland the property of Episcopalians was rated not only for the kirk, but also for the manse. But the Episcopalians in that country did not agitate against the rate, nor assert conscientious scruples. In the same way Churchmen paid the Regium Donum to the Dissenting ministers in Ireland. And why, moreover, should the hon. Members for Warwickshire (and many others beside) contribute to the expenses of Maynooth? for they had conscientious objections to such a payment. Was the House prepared to do away with the Regium Donum or the Maynooth Grant in Ireland, and the church rate in Scotland, if they abolished church rates in England? If he bought an estate subject to a charge for the widow of the late proprietor, might he decline to pay that charge if he disagreed with that widow's opinions or disapproved of her character? Or was the hon. Member for Birmingham to be exempt from war taxes because he had conscientious objections to war? The State had increased the army and navy and levied additional taxes to defray the expenses, and the hon. Member paid his quota. He did not approve of the Established Church, so they would abolish church rates. He approves still less of war, but yet they do not talk of abolishing war taxes. No! They insist on his paying to create bloodshed and slaughter, but they let him refuse to support the institutions of peace; they force him to assist in destroying the bodies of his fellow creatures, but he, in their opinion, need not contribute to increase the life of their souls. He hoped the House would bear in mind the true scope of the present Bill, and the real and avowed object of the opponents of church rates, and not be beguiled by the cloak which they had put forward in the Bill before the House. He hoped the House would not regard it as a conflict between a principle and qualms of conscience, nor as a battle between Church and Dissenters. It was a struggle of the principle of a national church against a band of noisy agitators without the piety of Dissenters; the resistance of the Church in the Wilderness against Korah and his crew. They wished to do away with the Established Church; so let them not equivocate and cower behind a church-rate question. They desired to sever Church from State, and would thus have to run counter to the principles of every Government and every confession of faith, the examples of history, and the opinions of Dissenting divines themselves. Their intention was to rob the Church of that which for twelve centuries had been her legal right and due. But then, in the name of consistency, let the Regium Donum in Ireland be abrogated, let the Maynooth Grant be abolished, let the Church of Scotland also be spoliated, and let the oath of the Queen be done away with. The Romanist's forms and the Nonconformist's want of form would be on a par with the Church, which, for 300 years, had fostered our religion, guided our morals, and superintended our education. Thousands of our population were yet in a state of utter spiritual destitution; one-sixth of our churches were falling into decay. What would posterity say if, with these facts staring us in the face, we yet cut off from the Church a great source of revenue and income? The great rallying cry of old was "the Church and the State;" now the outworks of the Church were being assaulted; and, if these were surrendered, the State would soon share the same fate. Our forefathers once fought and died for that Church which the supporters of this Bill would now outrage and rob; for her degenerate "sons no longer take pleasure when they think on her stones."

Mr. BAINES said, that in discussing this question he thought it only fair and right to say that he stood up avowedly as a Dissenter, and as one of those who did not approve the union of Church and State. He felt it his duty to support this measure. Although a Dissenter, he had great respect for the Evangelical clergy of the Church of England. He agreed with their doctrines, and he highly regarded vast numbers of the members of the Church, but he could not forget that our Lord gave His religion into the hands of His own people charged with all the duties and privileges which belonged to it. He believed that one of the chief duties and privileges of Christianity was to maintain the worship in which they believed. The noble Lord appeared to have very curious notions of conscience and of truth. Was he to understand, that the noble Lord, as a member of the Established Church, held it to be equally right to support truth and error? Was the noble Lord prepared willingly and cheerfully to support the established religion professed in any part of the globe in which he happened to be? The hon. Gentleman (Mr. Du Cane) charged the Dissenters with saying to the Church "stand and deliver." What he said to the Church was "hands off." Let the House leave it to each religion to support its own faith and its own clergy, and if the Established Church knew its own interest it would recognize the grand duty and privilege of self-reliance. This was a question of plain justice towards Dissenters. The hon. Gentleman complained of the hon. Member for Birmingham for saying that only a third of the people were members of the Establishment. Well, that was true; only he (Mr. Baines) would prefer to put it another way, and to say that of those who attended divine worship at all one-half were not found to be attendants in churches belonging to the Establishment. The other half built and maintained their own places of worship, paid their own clergy, assisted their own poor, and largely contributed to missionary undertakings, and he insisted that it was a great injustice to call upon them to pay for a church to which they were not attached. It was, in fact, an outrage, and the Church would be enfeebled in its action so long as the injustice was permitted to endure. From his own personal experience in the towns of Yorkshire and Lancashire, where no church rates had been levied for years, he could assert that the position of the Church was vastly improved by the abolition of the impost. There was a large number of new churches, and a great increase in the number of clergy. The churches were more sumptuously adorned, and better supplied with choristers and whatever else made the services in them acceptable to those who frequented them. In Leeds they had pulled down an old church and rebuilt it at a cost of £30,000. In a word, he declared upon his honour that he had never heard of a case in which a church had suffered from the disuse of rates. The hon. Gentleman opposite seemed to think that the voluntary system had failed, and was inadequate to the wants of the people; but it was impossible to understand how such a notion could be entertained after the facts mentioned in the Census Report of Mr. Horace Mann. From that report it appeared that in 1801 there were in the churches and chapels then existing in England and Wales, 5,171,000 sittings. In 1851, half a century later, the number was 10,212,000. Of the increased accommodation thus afforded 188,000 sittings were provided by Parliamentary funds, and 4,852,000 from voluntary efforts, or 96 per cent of the whole. It was difficult, then, to comprehend upon what authority the hon. Members opposite could rest their allegation that the voluntary system had failed. Such, at least, was not the opinion of some of the most eminent and reflecting foreigners who had watched our career in late years, and especially the Chevalier Bunsen, who, in his letters upon freedom of conscience, said:—

> "What other principle than this (that of the power of free spontaneous association) has during the same period in England achieved the erection of more new churches and chapels, with congregations of earnest worshippers, than all the Governments of Europe and all the clergy had been able to erect during the last four centuries?"

He (Mr. Baines) would only add that, if the apprehensions which the hon. Gentlemen opposite had expressed as to the ultimate designs of the Dissenters were well founded, the best way in which the Church could meet these designs would be to abandon this injustice towards Dissenters. If the Church would take its stand upon truth and justice, would not insult nor outrage the consciences of Dissenters—he might almost say, would not pick their pockets, but he did not wish to use harsh language—its friends need not fear the designs of Dissenters. He believed that the friends of the Church had to learn yet more completely the lesson of self-reliance, which, if perfectly understood, would enable them to provide all that was necessary for the services of their Church. Under such a system he believed her resources would prove illimitable, and he for one would never grudge them to her so long as she used them for righteous ends. He protested against the continuance of an injustice towards Nonconformists for the benefit of a Church which included among its members the wealthiest aristocracy in the world.

MR. ADDERLEY said, he had no wish to occupy the attention of the House with a lengthened speech on a subject which appeared to him to have been almost exhausted in previous debates, but he must make a remark or two on what had fallen from the hon. Gentleman who had just addressed the House. That hon. Member took objection to his hon. Friend who had moved the Amendment having described the Dissenters as calling upon the Established Church to "stand and deliver;" and observed that what they said was merely "hands off." But that was not what the Bill before the House said. Take the case of places in which Churchmen and Dissenters were unanimous in levying the rate. What did the Bill say? Why, this—"You shall not levy church rates, whether you be unanimous for doing so or not. You shall forego this claim whether adverse or of consent." The hon. Gentleman also talked of injustice and picking pockets. He (Mr. Adderley) should like to ascertain on which side a charge of violence lay. He regretted that the hon. Baronet who had charge of the Bill was not present. If he were he should ask him on what ground he could justify so violent a measure. It was urged by the advocates of the Bill that there was a difficulty in dealing with the case, and hence a necessity of wholesale legislation. It was certainly a very easy way to get rid of a difficulty in dealing with property to abolish it altogether. Now, what was the true state of the case? In the first place, church rates were a common law liability; and in the next, no church rates could be levied except by the consent of the majority of the ratepayers in vestry assembled. It was argued indeed against church rates that in some cases a minority were overriden by a majority, who imposed the rate on all. There might be a grievance there; but it was an infinitesimal grievance in this country, in which the majority rules everything. Supposing it was a grievance for the minority to have to pay rates levied by the majority, how did this Bill propose to remedy that grievance? By inflicting a greater grievance on the majority the abolitionists said that church rates were an injustice; but this Bill was replete with injustice towards all those parishes which hitherto had always consented, and desired to pay the rates. The existing agitation was to be remedied by the application of a counter-irritant, and an exceptional grievance was to be met by general legislation, a course that had been condemned on all sides of the House. In order to show how the present law worked, and what would be the effect of this Bill if passed, he would refer to two cities near which he lived, Birmingham and Coventry. In Birmingham they did not wish for church rates, and they never had them. For the last thirty years there had been no church rates in Birmingham. In Coventry, the inhabitants of which were of liberal opinions and included an average proportion of Dissenters, there were several magnificent fabrics, the ornament and pride of the city, and the Church of England people and the Dissenters were unanimous in voting church rates for their maintenance. The people of Birmingham did not want church rates, and they had them not. The people of Coventry did want them, and this Bill would not allow them to have them. The hon. Gentleman (Mr. Baines) said there was no fear of the fabrics falling into decay if church rates were abolished. Did not the hon. Gentleman believe, however, that even in places like Coventry people would be found to shirk a voluntary contribution who would not object to a general rate, passed habitually year by year. Hon. Members who opposed this and similar Bills had no wish to make the law more stringent than it at present was. They had no wish to claim legal security for what was now a voluntary rate. In all the propositions which they had submitted to that House they had even expressed a willingness to exempt Dissenters from the payment of the rate. But how had propositions of that nature been met by the Dissenters? Had not the Dissenters proved, by the manner in which they had met them, that something more than the abolition of church rates lurked behind? He felt convinced that even if all that was demanded by the present Bill were granted *in toto* it would be only the prelude for further demands, as this Bill clearly did not rest on any general principles of equity, but on blind hostility to the Church. Even where church rates had been proposed and rejected from year to year, why should they never be proposed again? Church rates might be refused because of some objection to the individual clergyman; and in this case the objection to the rates would end with that particular clergyman ceasing to have any connection with the parish.

Seeing the manner in which the propositions coming from this side of the House had been received by the Dissenters, and that nothing was likely to satisfy the latter but such a Bill as that now before the House, he thought the interest of all parties would be best promoted by leaving matters as they were, and desisting from any attempt at further legislation. Such a course would probably end in the agitation speedily dying away, and all ill-feeling disappearing. At all events, he felt bound to record his vote against what appeared to him to be the unjust proposition contained in this Bill towards the great mass of country parishes whose interests were to be sacrificed to the claims of certain agitators in a few great towns.

Mr. MELLOR said, he thought that if the Bill sought to do an act of justice—if it sought to allay irritation and heartburnings—if it sought to put the Church on a better footing in regard to her position towards Dissenters—the House ought to pass it. Having been at one time a candidate for the representation of Coventry he was somewhat acquainted with the circumstances connected with that city, and would only remark that all the candidates who offered themselves professed a desire for the total abolition of church rates. He was therefore surprized to learn that church rates were now so popular there. But did not every man know that all the great restoration of churches were the result of voluntary movements, and not of church rates? Take the case of Birmingham. The death-blow to church rates in that town had been given by the institution of a prosecution for their support, and if anything showed the advantage of dispensing with church rates it was the improved state in which the churches now were in that town. It was the same in Nottingham, Liverpool, and other large towns, where the religious element among the people had much improved since these rates were abolished. There was some plausibility, perhaps, in the argument sometimes used respecting the need of church rates in rural parishes, but in those places the rates, so far from being expended on the repairs of the churches, were expended on objects of a most illegitimate character, and entirely diverted from their legitimate object. The fact was, however, that in the rural districts the rates were in many instances made in consequence of a wholesome fear of the landlords; but if they were abolished those feelings would remain in full force, and would operate to produce a larger sum in the shape of voluntary offerings than was now raised by church rates. The hon. Mover of the Amendment had taken a rather sentimental view of the history of church rates, but he would have done better to examine what the Dissenters and Churchmen themselves had done on the voluntary principle. He found, by certain returns made lately, the voluntary payments far exceeded those made by compulsion of law. By a supplemental return on an average of seven years he found the gross expenditure was £41,653. Of this sum £14,870 was levied by rates, and upwards of £20,000 raised by subscriptions and voluntary payments. Hon. Gentlemen opposite had compared church rates with tithes, but they were wholly different, and it was unwise to attempt to include them in the same category. Church rates were originally freewill offerings at a time when there was no dissent permitted, but when liberty of worship was introduced one portion of the population left the church, and it was, he thought, rather hard that churchmen, who enjoyed the use of the parish churches, which were the property of the nation, should not be content to pay for the repair of those churches. It was a great mistake to suppose that tithes and church rates were similar in their nature. There was a great distinction between them, the one having the character of property, and the other being only a voluntary impost made by the parish at large. It was true that by some persons church rates were said to be a charge on the land. He had hoped however he had heard the last of that argument. The church rate, in its origin, was only that a man was taxed in respect of his ability in land—that was, if a majority of the parish laid on the impost, he was bound in respect of his ability; but it was idle to say that the tax thereby became a charge on the land itself. Therefore, for the interest and peace of the Church, for the protection of magistrates, who were now frequently placed in positions of difficulty in enforcing these rates, and for the general interests of religion, he hoped that Bill would receive the sanction of the House. Let church rates be abolished, and he would have no objection to receive any application from the friends of the Establishment for any measure they should think it advisable to bring forward on the subject.

Mr. PACKE said, he thought it a sufficient reason for saying that the Bill ought not to be proceeded with further, as that a Committee had been appointed in the House of Lords for the purpose of taking evidence upon the church-rate question, and he trusted that that Committee would arrive at some satisfactory report as to how best the matter might be settled for the advantage both of the Church and Dissenters. The noble Duke who had moved that Committee gave as a reason for doing so that the Committee of this House which sat in 1851 was unable to agree to a report, and that consequently no result followed from its labours. With regard to what had fallen from his hon. and learned Friend (Mr. Mellor) as to the state of the churches in Leicester, according to a return which was produced last Session it appeared that two of those churches were then out of repair, and that altogether, in various parts of the country, the number of churches out of repair amounted to between 1600 and 1700. He would ask hon. Gentlemen opposite, therefore, who contended for the abolition of church rates, and said "let the Church depend upon voluntary support," what chance there was of those fabrics which had been erected by the piety of our ancestors being kept in repair in the event of their proposal being adopted? Did they imagine, whilst so many churches were falling into decay, that when they had destroyed the means of keeping the building in repair sufficient money would come in on the voluntary principle for the purpose? There was no doubt that considerable sums had been subscribed for the building of new churches; but unfortunately when money was wanted to put them in repair it was not forthcoming. As to the impost of church rates being a hardship upon Dissenters, he could not answer that allegation better than by quoting the language of a great statesman in this House, to whose opinions hon. Gentlemen opposite were in the habit of paying the greatest deference. On the 5th of March, 1856, the noble Lord the present Foreign Secretary, in a debate on the second reading of Sir William Clay's Church Rate Bill in that House, said:—

> "Certainly I for one cannot assent to the principle put forward by the Protestant Dissenters, that as a matter of conscience church rates ought to be abolished. That is a somewhat new scruple on their part. When it was proposed in former days that Dissenters should not be compelled to attend church, and that they should not be prevented from having chapels of their own, it was very properly argued that it was a principle of religious liberty that they should be allowed to worship God according to their own forms; but it was not then contended that they should not be compelled to make any payment to the National Church. That claim has arisen in more modern times. It seems to me to be a part, but only a part, of the voluntary principle; but I cannot believe with my hon. Friend (Sir W. Clay) that complete and universal peace would follow the enactment of the Bill which he proposes. On the contrary, I believe that, having carried this measure, having sanctioned the abolition of church rates without providing a substitute, fresh attacks would be made; and not being willing to countenance or favour those attacks I shall oppose the second reading of the Bill." [3 *Hansard*, cxl. 1918.]

Such were then the opinions of the noble Lord, and those opinions he (Mr. Packe) most heartily endorsed. He was sorry to say, however, that through the influence of some spell which he could not account for, the noble Lord was reported to have since changed his sentiments upon the question. Now, this was a matter of principle, and although he could well understand young men being led away by certain impulses, yet, seeing the well-known principles of the noble Lord, and the length of time he had been before the public, he really could not understand by what process of reasoning he had so completely changed his opinions as he was reported to have done; for at the election of the noble Lord for the City of London on the 29th of April last he found him saying on the hustings:—

> "I must tell you that I think that question has come to this point, that either the present law must be maintained or church rates must be altogether abolished. And being of opinion that the maintenance of the present law is not good for the country, that it produces much heart-burning in the view of Dissenters, it is objectionable, on the ground of conscience, and that they have a dislike to the payment of these rates, I am of opinion that providing means can be found for such voluntary collections as may be useful, church rates ought to be altogether abolished."

Three days afterwards the noble Lord presented himself on the hustings at the election for the county of Huntingdon, and spoke as follows:—

> "A gentleman seemed to be of opinion I am not in favour of abolition of church rates. I tell you I am. I was formerly in hopes some compromise could be found, and a compromise was attempted by a Member of Viscount Palmerston's Government, and a very able man—I allude to Sir George Grey. A compromise was also attempted by Mr. Walpole. They both failed, and I own it appears to me that it is not likely to prove of benefit to the country to maintain, to keep up the ill-will already excited on this subject, and that it would be far better to make at once provision for the voluntary maintenance of the

Church than to rely longer on the imposition of church rates."

He was sorry to say that the noble Lord was not then present in the House to explain, as he ought to do, the grounds upon which he had altered his opinions on the question. There were now two Bills on the subject of church rates before the House, one of which proposed a voluntary commutation, but how the hon. Gentlemen whose names were on the back of that Bill could vote for the measure under discussion he was at a loss to conceive; for how could they effect a commutation when church rates had once ceased to exist? The question, however, had been so often debated that he would not detain the House further than to say that it was his firm determination to do his utmost to defeat the second reading of this Bill.

MR. STANILAND said, that as it was hopeless to imagine that that House could ever find any substitute for church rates which would be satisfactory to the clergymen of the Church of England, it became a question whether that House should not take an enlarged view of the question and come to a conclusion upon it satisfactory to the country at large. The hon. and learned Member for Nottingham (Mr. Mellor) had referred to the very large amount which during the last seven years had been voluntarily subscribed by the members of the Church not only for the repairs of the fabric, but for the services of the Church, and it was a remarkable circumstance that the amount so subscribed exceeded the sum raised by compulsory means. There was, moreover, a great sum voluntarily subscribed for building churches, and these facts furnished the strongest possible evidence that in the absence of any church rate there would always be found sufficient zeal in the members of the Church to support the fabric. It was stated that church rates had existed time out of mind, but that circumstance furnished no reason why they should not be abolished by the State, like any other imposts, if the circumstances of the country required their removal. It was contended by some that as the Church of England was the national church all ought to contribute to it; but he denied the proposition generally that the Church of England was the national church. Legally it might be so, but practically it was not so, for a large proportion of the population conscientiously dissented from the doctrines of the Church. It was objected that, should church rates be abolished, funds could no be found to maintain the fabric of the church; but by a report presented to the House it appeared that where church rates had ceased to exist, there the largest amounts were subscribed by the zeal and religious fervour of the persons connected with the Church for the restoration of the fabric. He could refer to the borough of Boston, which he represented, where church rates had ceased to exist for the last twenty years, yet within the last seven or eight years the inhabitants had raised by voluntary subscriptions about £10,000 which they had spent in the renovation of their beautiful church, besides which in Skiebeck, one of the parishes of the borough, another large church in addition to that they already possessed had been built, and two smaller ones in Boston. It was admitted on all hands, he believed, that in populous towns there would be no difficulty in raising the necessary funds, but there would be difficulty in doing so, it was asserted in rural parishes; but when he found that five-sevenths of the property in rural parishes in this kingdom were vested in churchmen, he did not despair of sufficient funds being raised even in remote places for the repair of the churches. Feeling that this impost pressed most hardly on the Dissenters, seeing that the Church was the most wealthy institution in this or almost in any other country, and feeling that it would be impolitic for the friends of the Church to seek as a basis for it the compulsory payment of rates by Dissenters, he should give his vote for the second reading of the Bill.

MR. HENNESSY had listened with attention to what the hon. Member for Leeds, who addressed them as a Protestant Dissenter, had said upon this subject. He had frankly declared his determination to oppose the Maynooth grant as vigorously as he had opposed church rates. The principle on which that hon. Member and the other English Dissenters acted was well understood. There was no disguising the fact, that to appropriate a large sum of money taken from the general taxes of all classes to the maintenance and repair of the College of Maynooth involved precisely the same political principle as that which was now under discussion. Of course there were wide differences of detail, but the principle in each case was the same. Hence it was that the division lists against Maynooth and against church rates bore such a striking resemblance to each other. Now, he (Mr. Henessy) was not prepared to acknowledge the soundness of the dissenting principle. Indeed, he found as a general rule, that when the Protestant Dissenters were attacking the Church of England, they did so by enunciating some principle which he, as a Catholic, could not approve of. It was only a few nights ago that the hon. Member who moved this Bill to-day (Mr. Dillwyn) had directed another attack upon the Church of England in the shape of an Endowed Schools Bill, which declared that all schools, except certain foundations specially belonging to the Church of England, should be conducted without any religious distinctions whatever. The Endowed Schools Bill, although it would affect nearly 3,000 schools in Ireland, and although it established the system of mixed education in nearly all intermediate schools, was supported by every Catholic Member present except himself (Mr. Hennessy). The Catholic Members who thus supported an assault upon the educational principles of the Church of England gave a severe blow to the very principles of public instruction which their own Church had always maintained. He was of opinion that no alliance, particularly on educational or religious subjects, should be formed between the Catholic Members in the House of Commons and the English Protestant Dissenters. For his own part, he viewed with extreme jealousy any movement of the latter against the Church of England. However widely he might differ on points of doctrine from members of the Establishment, he differed still more widely from the Dissenters. It happened that the very point on which the Dissenters differed from the Church of England was a point on which the Dissenters differed also with the ancient Church. The history of the Divorce Bill—a measure carried by the Protestant Dissenters against the wishes and efforts of the Church Establishment—should show the Catholics the absolute necessity of independent action. He could not see that this alliance between English Dissenters and Irish Catholics was either just or expedient. Throughout this debate, and on every similar occasion when the Church of England was assailed by the Dissenters, the latter boasted of being the friends of toleration, and charged the Church with intolerance. No boast could be more idle, and no charge could be more unfair. The Church of England has been at all times more tolerant and more enlightened than the dissenting communities. At one time the Church suffered very severely on account of its desire to shelter Catholics from the persecution of English and Scotch Dissenters. Even in our own day, when the noble Lord the Member for London introduced the Ecclesiastical Titles Bill, Lord Shaftesbury declared that "he hoped he might be allowed to express his admiration of the conduct of the Dissenters, who had agreed to cast aside their various differences and to withhold their assaults on the State Church, for the purpose of making common cause against the common enemy;" and in the same speech the noble Lord strongly censures the Church of England on account of "its sympathy with certain doctrines, discipline, and tenets of the Church of Rome." An hon. Member opposite (Mr. Mellor) had appealed to history. He (Mr. Hennessy) was ready at once to answer that appeal. What had occurred, for instance, in that House about eighty or ninety years ago? At that time a bate took place which in many respects resembled the present one. Lord North and his Conservative colleagues introduced a Bill, which, amongst other provisions, established a system of church rates in Canada. These rates were for the maintenance of Catholic churches and the support of Catholic clergymen. The Protestant Dissenters opposed that Bill on exactly the same general grounds that they now oppose church rates. Lord North and his Conservatives defended those Catholic rates on exactly the same principles that the supporters of the Church of England now defend the Church from the attacks of the Dissenters. The Catholics of that day were deeply grateful to the Churchmen and Conservatives, who thus, in spite of the opposition of the Dissenters and of Mr. Fox, succeeded in securing the rates for Catholic purposes. The struggle now taking place was, in principle, precisely the same, but the position of the three parties was altered. In 1774 the Dissenters assailed the Catholics and attempted to prevent them from getting these rates. The Catholics succeeded in getting the rates, and they did so because the Churchmen in Parliament fought the battle on their behalf. In 1859 the Dissenters are assailing the Church of England for the same object, and with the same arguments. Under such circumstances he (Mr. Hennessy) felt that it was his duty to resist this attack. The Government had adopted the Bill now before the House; the noble Lord the Member for Tiverton had formed a coalition with the Dissenters and with the

Low Church party. It afforded him (Mr. Hennessy) much satisfaction to have this opportunity of voting against such a coalition.

SIR GEORGE LEWIS: The question for discussion has been so frequently debated that I should not have troubled the House were it not that an appeal was made to me to state my views on it. I am therefore unwilling that a vote should be taken without my having done so. In the first place, then, though the House is well aware of the nature of the church rate, I wish to state distinctly that it differs in character from all other local rates in this country in being a voluntary rate, for which the Court of Queen's Bench will not grant a *mandamus*, but which depends on the vote of the majority of the vestry. This character is peculiar to the church rate as distinguished from all other local rates, such as poor rates, highway rates, and county rates. [Lord JOHN MANNERS: The library rate?] Well, the library rate is a small rate created by a recent Act of Parliament; but such being the character of the church rate, I should wish to call the attention of the House to the manner in which the rate operates and the receipts and expenditure under it. The most recent Returns received by the House extend to 10,749 parishes, and they have been made on an average of the last seven years, ending in September, 1858; so that they do not exhibit the exact return for any one year, but show what is the average expenditure for each of the last seven years. The gross amount expended for all purposes of the church rate was £635,880, £336,000 being expended upon the repair of churches and churchyards, £173,400 upon the celebration of divine worship, and £95,500 for other purposes. The gross amount of the receipts from which the expenditure was defrayed amounted to £580,000, which was derived from three sources—namely, £263,700 from church rates, £48,000 from special endowments, and £269,500 from voluntary rates and subscriptions. According to these Returns, therefore, the receipts from voluntary rates and subscriptions for the expenditure of the Church exceed the produce of the church rates. I would call attention to the fact that the whole sum in dispute amounted to £263,700 on an average of seven years; but considering that the payment of church rates is rather diminishing than increasing, this sum represents probably a larger amount than was actually collected last year. We do not know what the total assessment for the church rates is; but, supposing those rates to be levied all over the kingdom, which is not the case, the property liable to them does not differ materially from that subject to county rates. The value of the property assessed to the county rate is £64,900,000, and a penny rate upon that amount would produce £270,000. Now, assuming the church rate to be levied upon only half that amount of property, the present church rate would not exceed a charge of about 2*d.* in the pound. The House will therefore see that the objection to church rates is not likely to be entertained upon strictly pecuniary grounds, but that it arises from different causes. I apprehend that the opposition to church rates mainly arises from a conscientious objection on the part of Dissenters from the Established Church to contribute to the maintenance of a Church from the doctrines of which they differ. The objection to church rates in such cases is not attributable to their oppressive amount, but it is an objection on principle. There is, however, another class of objections on the part of members of the Established Church, which arises from the existence, in almost all large towns, of district churches. According to the law as it existed until a recent period, wherever district churches had been built, the entire parish contributed to the maintenance of the mother church, and each district had to maintain its own church by pew rents, or from some other source. The consequence was that members of the Church of England residing in the several districts were called upon to contribute to the maintenance of two churches—the mother church and their own district church. This state of things excited considerable discontent and in many large parishes in towns the church rate has been opposed by members of the Established Church upon that ground. There is also another reason which operates in certain parishes to occasion opposition to church rates,—when the clergyman of the Established Church is extremely unpopular with his parishioners, either from eccentricity of doctrine or from immorality of life. In such cases the parishioners—I was going to say avenge themselves, but at all events show their displeasure, by refusing to make a church rate. This, however, is a ground of refusal which happily is found in but few parishes. I believe, on the other hand, that in the vast majority of rural parishes a church rate is annually made with little or no objection, and if any hon. Member will take the last Return of church rates, and will refer to parishes in any archdeaconry in his own neighbourhood, he will find that in almost every exclusively rural parish a church rate is made either with or without objection. In a very large number of town parishes, in which a large population is collected, and where property is very valuable, for one or other of the causes I have mentioned the church rate is withheld. In some cases it has been withheld for a long series of years, and in others for a shorter period, but in the great majority of town parishes, from one cause or another, church rates are not paid. This great difference exists between the practice of the town and country parishes, and hence hon. Gentlemen who seek to amend the present law by introducing one uniform principle of compulsory levy in all parishes, without reference to the distinction existing between town and country parishes, will find that their plans, when tried by the test of practicability, will break down, and that it is now practically impossible to establish any new system of church rates which does not take into account the distinction between rural and town parishes. The hon. Member for Warwickshire (Mr. Newdegate) made some remarks upon the nature of the grievance which now exists, and I differ from him slightly upon one point. Where the population almost exclusively belongs to the Established Church, which is the case in a very large number of rural parishes, the rate is made without objection, and therefore in such cases there is no practical grievance. In the town parishes where, from different causes, the opposition to a church rate is overwhelming, no rate is made, and there there is no practical grievance. A substitute has practically been found; the fabric of the Church is maintained; the services of the Church are provided for; and there is no grievance. I do not believe, indeed, that the members of the Established Church will themselves pretend that there is in the great majority of parishes in large towns any practical grievance with respect to the maintenance of the fabric and services of the Church. But the practical grievances exist in parishes where the minority is controlled by the majority. It is in consequence of the discontent which exists in parishes where the two parties come into collision, and where the dissentient party is unable to prevail upon the majority of the vestry to withhold the rate, that the present law works unfavourably, and that irritation and dissatisfaction prevail. It appears to me a complete fallacy to argue from the fact that a church rate is made in a large number of parishes that the system works without friction or without exciting discontent. It is in those parishes where a church rate is imposed upon a reluctant minority that the defects of the present system are felt. Since the decision of the House of Lords, with regard to the absence of all power in the minority of a vestry to bind the majority to a rate, it is in vain to talk of the provisions of the common law where it must be admitted that there is no court by which those provisions can be enforced. That state of the law, declared by the House of Lords not many years ago, has given rise to various proposals for its amendment; and the right hon. Member for Cambridge University (Mr. Walpole) brought in a Bill on this subject, which was entitled, "A Bill for facilitating a voluntary provision for the purposes to which church rates are applicable, and for the extinction of church rates where such provision is made." The title of that Bill, therefore, seems to point to the desirability of extinguishing church rates, and I believe that many hon. Gentlemen opposite are far from being satisfied with the present law, and appear to contemplate a state of things in which church rates, at least in their present form, shall cease to exist. Now, the right hon. Gentleman proposed to facilitate the extinction of church rates, in the first place, by substituting for those rates a voluntary charge upon land. I venture to express a confident opinion that such a substitute for church rates would be found wholly inoperative and illusory. I do not believe that the owners of land, whether they have merely life estates or are proprietors of the fee, would voluntarily make such a charge on their estates as would afford an equivalent for the existing church rates. Another substitution suggested in the Bill of the late Government was a transfer of the rate from the occupier to the landlord. It will be remembered that the difficulties which formerly existed in Ireland with regard to the collection of tithe for the Established Church were removed by the Tithe Commutation Act, which fixed the obligation of payment upon the landlords instead of the occupiers; and I think it not impossible, that if a change of this nature with reference to church rates had been proposed some years ago, it would have led to a practical solution of the question, inasmuch as, certainly in the country districts, and possibly in large towns, landlords generally would have paid the rate without any material objection. At the same time I am not prepared to say, that at this time any settlement of the question can be effected in that manner. One great difficulty connected with this proposal is, that it would practically annihilate the power of the vestries, because in many parishes the rates would be paid by one person, and as the church rate is one which the ratepayers may grant or withhold the maintenance of the Church in such parishes would be dependent upon the will of a single individual. The third plan proposed in this Bill of the right hon. Gentleman is the conversion of the present church rate into a compulsory rate levied exclusively upon members of the Established Church in the parishes in which they reside. I confess that if the matter were left to my individual decision, I see great advantages in such a system; and I have more than once, both in and out of this House, recommended a plan founded upon that principle. I believe that if hon. Gentlemen opposite had been willing to accede to that plan—for when it was first proposed they met it with very decided opposition—it might have been adopted with the general concurrence of hon. Members on both sides of this House; but, as it often happens, a fair proposal unreasonably refused is not repeated. I do not see in the position in which we now stand that there is any probability that the Government would be able to induce the House to agree to any compromise founded upon that principle. The three solutions of the difficulties of the existing system to which I have referred appearing to be, on different grounds, impracticable. I will now call the attention of the House to the objections which are made to the principle of the Bill under discussion for the total and immediate abolition of church rates, and to the evils which, it is said, will be likely to result from its adoption. If I understand the argument of hon. Gentleman opposite, the great evil anticipated from the cessation of the compulsory power of levying £260,000 a year is that the churches generally throughout the country will fall into decay, and that sufficient means will not be obtained for sustaining the fabric of the church, and defraying the charges for its services. The right hon. Member for the University of Cambridge in proposing his measure dwelt most emphatically upon the guilt this nation would incur if it suffered the fabrics of the Established Church to fall into ruin and decay. He quoted a passage from a Roman poet, describing the destruction and ruin of the temples of an ancient State, which had ensued from the evils and disorders of a long civil war. The passage, which hon. Gentlemen who were members of the late Parliament will remember, was:—

> "Delicta majorum immeritus lues,
> "Romane; donec templa refeceris,
> "Ædesque labentes Deorum, et
> "Fœda nigro simulacra fumo."

When I advert to the facts which were mentioned by the hon. Member for Leeds, I cannot but think that the description given by the right hon. Gentleman of the sin of this nation in the probable neglect of its churches, however applicable it might be to the desecration of the churches of France after the Revolution of 1789, and to their state at the re-establishment of the church by the First Consul at the beginning of the present century, is entirely inapplicable to the state of things in this country. If I had to describe what has taken place of late years in England with regard to the attention paid to the fabric of the church and to church architecture, I should say that during the last ten or twenty years church building had undergone a revival. There is hardly any subject of national interest about which a greater number of persons have been employed, some from religious motives, and others perhaps from motives connected with the cultivation of art. We know that a section which has of late years grown up within the Established Church, and which approximates to the Roman doctrines, has distinguished itself by peculiar attention to church architecture, and persons in the Church entertaining very different opinions have also made most laudable and munificent exertions for the restoration of existing churches and the construction of new ones. I confess, therefore, that if there is any national sin with which this country is less likely to be chargeable than any other, I think it is that of neglecting the repair and construction of her churches. It is my firm belief that if this compulsory tax of £260,000 a year upon the population of England and Wales were to cease, no serious difference would be perceived in the general maintenance of the Church, or in the funds by which new churches might be constructed. I admit that there may be certain remote and rural parishes where the landlords perhaps are non-resident, or where the population is poor, in which considerable difficulty may be experienced in obtaining from the inhabitants the funds necessary for the maintenance of the Church; but I will not believe, taking the country through, that it would be found the churches would fall into disrepair. I therefore regard this, which is one of the main objections put forward to the abolition of church rates, as wholly unfounded and chimerical. But when I state my utter disbelief in the reality and soundness of that objection, I do not deny that there are many objections to the abolition of a compulsory church rate. Although a church rate is made upon the vote of a majority of the vestry, it does in a vast number of rural parishes operate in practice as a compulsory rate, and if you remove the obligation where the rate is at present paid without any serious objection or difficulty, you make a change in the existing distribution of property, and you virtually relieve property from a charge to which it is now, if not legally, at least practically, liable. I do not doubt that funds would be found from some source or another if the present rate were remitted, but I do doubt whether the distribution would be so equitable, or whether the voluntary mode of contribution substituted would on the whole work so advantageously in a large number of rural parishes, where at present no opposition exists, as is the case under the present system. Still with all the force that attaches to this objection, as it appears to me that none of the intermediate plans in the nature of compromise are likely to receive the sanction of this House, as I see no prospect of any agreement upon any one of those plans, and as it seems to me that in attempting to maintain the existing system of church rates we shall only be continuing a fruitless struggle, I am prepared to give my vote for the second reading of the Bill. I would, however, suggest that in the event of the Legislature, either now or at some future period, agreeing to the principle of the Bill now under consideration, it might be possible to establish an organized system by legislative enactments, which would give some facility and some not inconsiderable assistance, with regard to the receipt, the custody, and the administration of voluntary rates and subscription for maintaining the Established Church and meeting the objects to which church rates are at present applicable. I shall not now lay before the House any detailed plan on the subject, but I think it might be possible to construct an organized parochial system which would be applicable in cases where local funds might prove insufficient. In order to afford assistance to those parishes in which local funds proved inadequate, it might be feasible to constitute Diocesan Boards, which should have powers with respect to the collection and distribution of money. This is the view which, after the best consideration I have been able to give to the subject, I take of the question before the House, and I cannot help expressing my confident opinion—although I confess I express it with reluctance—that unless, as I do not expect will be the case, the state of things foreshadowed by the right hon. Member for Staffordshire (Mr. Adderley) should arise—unless all agitation against church rates should cease, and all parishes should agree to live harmoniously under the present law, it will be found impracticable to induce the Legislature to consent to any of the other solutions of this difficulty to which I have referred.

Lord JOHN MANNERS said, he had listened with the greatest pleasure and delight to nine-tenths of the right hon. Gentleman's speech, containing as it did a candid admission of the extreme futility of the objections commonly urged against church rates. To his great astonishment, however, the right hon. Gentleman's admirable preface had been followed by a most lame and impotent conclusion. For he came to the conclusion that it would be right to give his support to the second reading of this Bill, which in rural parishes would, according to his own statement, set up a less just and equitable system than it proposed to remove. And what was his argument? Beginning with an accurate description of the past and present state of the law on this subject, he went on to establish, in a clear and satisfactory manner, that the grievances of the Dissenters could not arise from the pecuniary pressure of church rates, but rather from their conscientious scruples to pay them. Now, however much force there might have been in the latter class of objections previous to the rejection of the late Bill of the right hon. Member for Cambridge University, putting an end absolutely and for ever to the alleged conscientious scruples of Dissenters in regard to this impost, yet, since the rejection of that measure, not by Churchmen, who might perhaps naturally have thought the liberal compromise it proposed went to the very verge of concession; but by those who more especially represented the Nonconformist interest, aided, he regretted to say, by many members of the present Ministry, it was impossible any longer fairly to urge this plea against church rates. Therefore, what had formerly been avowed out of doors might now be taken to be practically avowed within that House, and the present Bill, instead of being viewed as a measure for the relief of tender consciences aggrieved at the exaction of church rates, might be regarded as designed to subvert and destroy one of the fundamental principles of the existing constitution, namely, the union between Church and State. The right hon. Gentleman then proved how infinitesimal the grievance was; that in the great mass of the rural parishes this impost was paid without opposition or difficulty, while in the great commercial and manufacturing towns church rates had long ceased to be levied, the question being decided in the comparatively few remaining places where they were resisted according to the English principle of the minority yielding to the majority; and having also shown that any substitute for church rates would be less equitable and unobjectionable than that impost, he ended by saying he should support the second reading of this Bill. True, when the mischief had been done by abolishing church rates, the right hon. Gentleman held out a vague hope that at some future time he might propose the establishment of a diocesan Board to receive and distribute the funds that might be raised according to some plan, in the justness and sufficiency of which the right hon. Gentleman had himself no confidence; but was that the mode in which a member of Her Majesty's Government ought to treat a great and fundamental question of this kind? One part of the right hon. Gentleman's speech was historically inaccurate. When exhausting the various schemes of compromise that had been suggested on this subject, he referred in terms of approval to the proposal made by Dr. Phillimore for the personal exemption of Dissenters, and cast the responsibility of rejecting that solution of the question on Members of the Opposition, who called themselves the friends of the Church. Now, if the right hon. Gentleman would turn to the records of their debates and divisions, he would find that he was in error. Dr. Phillimore's Bill was thrown out on the second reading by a narrow majority of 22, 185 Members voting for it, and 207 against it; and in the minority ranked, generally speaking, the great Conservative party, while in the majority ranked the Liberal party, headed by the present Chancellor of the Duchy of Lancaster (Sir G. Grey), and by the representatives of the Dissenters, Sir William Clay and Sir Morton Peto. The right hon. Gentleman thought no evil would result from the abolition of church rates, because a large sum was now raised spontaneously to build and sustain new churches, and if this impost were withdrawn the void would be supplied by an increase of the same individual liberality. The fallacy of this argument was remarkable, proceeding as it did from so eminent a logician. The existing system, which the right hon. Gentleman eulogized, was partly voluntary and partly compulsory, and he asked them to abolish its present composite character, and yet to expect the same results to follow inevitably from the new system. That surely was a mode of reasoning upon which the House could hardly be induced to surrender an impost which had existed for 1,000 years, and which, let hon. Gentlemen talk as they pleased, had really secured to the poor of this country, without price, the free services of the Church of England. After the decision come to on the church-rate Bill of the late Government they might fall back upon the existing system, wholly unpledged and unfettered by anything that had previously passed. For himself he had no hesitation in taking that course, though he had always been anxious to relieve the conscientious scruples of Dissenters. He entirely agreed with a remark of the present Secretary of State for War (Mr. S. Herbert)—namely, that, after all, the present system was right, was easily defensible, that it worked well, and was far better than any of the substitutes offered for it. This opinion was expressed by the Secretary of State for War only a few short months ago, and it was to be hoped that that right hon. Gentleman was not now going to follow the lead of his right hon. Colleague in support of a Bill which the Government admitted to be unnecessary, and denounced as unjust, throwing the whole question open, and providing no substitute for what was to be taken away. Would that right hon. Gentleman combine with those who made no secret that in voting for the second reading they would do so for the express purpose of making the first great inroad against our existing institutions in Church and State? In conclusion, he wished to express his thanks to the hon. Member for North Essex (Mr. Du Cane) for his most admirable speech in opposition to this measure, and he would always be happy to follow so good a leader in so good a cause.

Sir GEORGE LEWIS explained that he had not referred to Dr. Phillimore's Bill, but to a plan subsequently brought forward, he believed, by those with whom he was now acting, and which was received with disapprobation by hon. Gentlemen opposite.

Lord FERMOY said, that he felt himself bound to address a few words to the House on the present occasion. They had had that day two speeches from the opposite side of the House of a retrograde character. One was the speech of the right hon. Member for Staffordshire (Mr. Adderley), and the other was the speech of the hon. Member for the King's County (Mr. Hennessy). The right hon. Gentleman said it was his desire to leave the matter where it was. Let them remember that that right hon. Gentleman was a Member of a Government who introduced a Bill the principle of which was that the minority should not be obliged to pay for the church of the majority. The hon. Member for the King's County called on the Roman Catholic Members not to assist the Dissenters in this attack on the Church. But the Bill was no attack on the Church; it was not a step to abolish the connection between Church and State. They would only strengthen the Church by doing away with a grievance and an injustice. Look at what had been done in Ireland. In Ireland a measure had been carried by which tithes were no longer paid by the tenant, and no less than ten bishoprics abolished, with about one-fourth of the revenues of the Church. Yet the Irish Church, so far from being weakened, was stronger and more firmly established in connection with the State than ever before. The hon. Gentleman also asked the Roman Catholics to oppose the Bill, as they enjoyed the grant to Maynooth. If the hon. Gentleman put the grant to Maynooth on that footing, it was not worth two years' purchase; if it was put in the same boat with church rates, it would not last long. The hon. Gentleman ought not to forget the obligation owed by the Roman Catholics to the Dissenters of England. What would have become of the Roman Catholic Relief Bill but for the support of the Liberal party comprising so many Dissenters? The question must soon be settled; until it was, the Church would be weakened and society disturbed.

Mr. DRUMMOND: Sir, the result of this debate has so narrowed the question which has been discussed in this House for some years past that I am anxious not to repeat things that have been said either by myself or by others; but I wish to indicate to the House the exact point at which we have now arrived. The right hon. Gentleman the Home Secretary dates this question truly from the decision of the House of Lords in the Braintree case. The natural way of getting rid of the evil then introduced was by bringing in a law to put church rates on the same ground as all other rates. This was the business of the bishops, but they did not do it; and, they having neglected their duty, there is certainly a grievance in the great towns, where additional churches have been built, and where the whole produce of the rates goes to the original parish church, leaving none at all for the new churches. Upon this the Dissenters have founded two grievances—one of them true, and the other false. The true grievance I have already mentioned; the false one is the plea of conscience. An hon. Gentleman (Mr. Baines) has told us how matters stood at the origin of Christianity. Why, in those early days a conscience was a troublesome thing, and cost people a good deal. The modern consciences of Dissenters gain them a good deal. For such consciences, Sir, I have neither respect nor tenderness. You have, I think, been very much shooting in ambush—exercising something after the fashion of the rifle corps. You have been discussing various collateral issues, being afraid to touch the main point. The Dissenters have, as I have said before, honestly told you in this House and out of it, that the question is a contest *à l'outrance*—Established Church or no Established Church. There is no disguising it. The noble Lord who spoke last has told us we had two retrograde speeches to-day. Of course, to get rid of the Established Church is an exemplification of progress. But which way are you progressing? Did the Romans or the Greeks—do the Sepoys or the Chinese, or any other people in the world, ever think of such a thing as a nation without an established church? On this ground I oppose the Bill of the hon. Gentleman as I opposed the Bill of my right hon. Friend the Member for the University of Cambridge, and as I will oppose every Bill that enters into a compromise on these matters. For there are questions where you had better stand out to the last and be ruined than give way. It is stated of Prince Metternich that a very short time before his death he wrote a letter to the Emperor of Austria, in which he said, "Make no peace. Fight for what is your own; and rather give up Vienna to be sacked than compromise one tittle of your right." I say that is the counsel of duty, the counsel of principle; but it is not the counsel of expediency or of Liberalism.

MR. MAGUIRE said, he would not have trespassed on the House but for the appeal made by the hon. Member for the King's County (Mr. Hennessy) to Roman Catholics. He believed he and every other Catholic Member would go into a different lobby from the hon. Member. From 1852 he had always supported the principle of this Bill, and would still do so. This was not an attack on the institution of the Church, but an attack on an abuse. It was not fair to make a Roman Catholic or a Dissenter pay for the worship of a Protestant. The Roman Catholic Church in Ireland was entirely voluntary, yet what was the result? Every day saw new churches and convents rising up. So also if church rates were done away with the Protestants of England would be able to maintain their Church. In all the battles for Catholic freedom the Dissenters had supported them, and he would now return that support. The Established Church in Ireland was not a bulwark of liberty, but a monument of oppression. Take the case of a Roman Catholic landlord forced to pay a Protestant clergyman, who rendered no service to him or his tenants. The Establishment was an abuse, and the Irish Roman Catholics would be every day calling with a louder voice on the Dissenters of England to aid them in their attack on it.

VISCOUNT PALMERSTON: Sir, I am anxious to state in a very few words the grounds upon which I shall give my deliberate vote in support of the Bill before the House. I think that I have never hitherto voted for a Bill of this description. [*Laughter from the Opposition.*] I am very glad to see that those who are themselves patterns and models of converts receive with such joy others who are also converts to an opinion which they have not always entertained. I have thought, and I still think, that it is essential for the interest and the honour of the country, as well as for the sake of religion, that the fabrics of our national Church should be maintained; and if it had been possible to continue the system under which that object is accomplished by a rate I should have preferred that that system should be adhered to. But when I find from repeated instances that the public opinion of the nation, not only out of doors, but in Parliament, has been declared strongly and by great majorities in favour of a change in this respect, I cannot set my individual preference against the force of that public opinion, and I am compelled to look about and see whether the same end cannot be attained by some other and less objectionable means. I find that we have vast numbers of district churches, fine structures, admirably built, well maintained, capable of receiving large congregations, erected and supported without the aid of church rates, and answering all the purposes for which such edifices are designed. I ask myself, then, whether it may not be possible for the parish churches of this country to be maintained in a similar manner? And it appears to me that arrangements may be made by which a sufficient provision shall be secured for the support of our parish churches, by the same means as those by which our district churches are constructed and maintained. Hon. Gentlemen have entered into and discussed the motives in which this opposition to church rates originates. Sir, I do not pretend to do that. I am persuaded, however, of this, that, although Dissenters may, for reasons of which they are entitled to be the judges, object to this impost, there are many cases in which they would voluntarily contribute to the maintenance and repair of churches which are ornaments of the cities and towns in which they live; and that their liberality of sentiment would induce them to give freely and spontaneously that which, upon principle, whether well or ill-founded, they refuse when it is demanded of them by compulsion. Then, Sir, I am ready to vote for the second reading of the Bill. I trust that in Committee arrangements may be devised—[*Laughter from the Opposition*]—yes, these are the Gentlemen who cheered to the echo a right hon. Member of the late Government (Sir E. Bulwer Lytton) in the discussion on the last Reform Bill, when, going through point after point of their measure, he said again and again to different objectors, "Ah! prove your case; that is a question for the Committee." These rapturous and enthusiastic applauders of a right hon. Member of their Government, who sought to evade pressure by referring his critics to the Committee, are now, forsooth, disposed to treat with levity and contumely a proposal to modify the details of this Bill in Committee! I hope that in Committee we shall have from them the same assistance which they would have given in the case of the Reform Bill. Again, it is said that the abolition of compulsory church rates would be destructive to the Established Church. I repudiate that argument. I think it is unfair to the Church of England to put its maintenance upon such a ground. I am convinced that the Church rests upon the affection and respect of the people, and that if it is ever to fall it will be not by the abolition of church rates but by the faults of its own ministers and members. I see no such faults at the present moment; the contrary, indeed, is manifested in the conduct of the clergy of the Established Church, and I am persuaded that the exemplary proceedings of its ministers and of those who belong to its communion will tend year after year to rivet still more strongly the attachment which now exists among the great majority of the people. So far, therefore, from agreeing with those who think that church rates are necessary and should be maintained for the support of the Established Church, I believe that the abolition of an impost which is disliked not only by Dissenters, but in many cases also by members of the Church itself, will tend to strengthen and extend the established religion of the country.

Mr. DISRAELI: Sir, I have listened with great interest to the speech of the noble Viscount, and I quite agree with him that changes of opinion upon all subjects of public importance are open to every Gentleman who wishes to profit by the lessons of reflection and experience. The noble Lord has, upon several occasions, made interesting announcements of changes in his opinion to the House. I remember, when I first entered the House of Commons, he informed us that he had become a juvenile Whig. I am bound to say that was a change which brought to his party great power and lustre, and if I thought that by any change of opinion upon the present occasion he could assist a happy solution of a long-vexed question, I should not regret that the noble Lord had altered his views. Some Session or two ago, he advocated a conclusion very different from that which he has just recommended to the House. But the question is, seeing that the noble Lord has changed his opinion, has he come forward to-day in a manner becoming the difficulties of the situation, and has he indicated any course which ought at once to make us recognize him as one capable of a policy that will extricate us, in a wise and dignified manner, from the difficulty which every one must have experienced and acknowledged? I could collect nothing from the speech of the noble Lord which could give satisfaction to the House in that respect. The noble Lord has entered into some general arguments against church rates, which, if they amounted to anything, seemed to imply that the noble Lord is in favour of a voluntary system with respect to ecclesiastical establishments. A larger question could not be discussed, but the noble Lord, descending to details, has adverted to the satisfactory conclusions at which we ought to arrive from our experience of district churches. He has compared a district church with a parochial church. A district church, he says, has no rate, and yet it is built and maintained in a manner than which nothing could be more gratifying and satisfactory. But the noble Lord forgets that district churches are not churches of yesterday; that they existed and flourished when he addressed the House, not against, but as the earnest advocate of church rates. The noble Lord cannot believe that if we agree to the present Bill any of those serious results which have been so often predicted will occur. But who, let me ask, has impressed upon Parliament the conviction that the proposition of the hon. Baronet, the Member for Tavistock (Sir J. Trelawny), if accepted, will lead to changes of the most serious and even revolutionary character, in a manner so forcible and so grave, and with so deep a sense of responsibility, as a not insignificant colleague of the noble Lord? I have heard sketches given by hon. Gentlemen on both sides of the House of what might be the possible consequence of abolishing church rates. I have heard from this side some views which may, perhaps, have appeared to me to be overstated or too highly coloured; but I have heard nothing that in its consequences, in its comprehensive view of disastrous results, can for a moment compete with that great historical sketch which the noble Lord the Member for the City of London offered to us not more than two years ago. Yet the first Minister of the Crown now rises in his place, and now speaks as if there were no persons in this House who have ever contemplated serious consequences from the change now proposed but hon. Gentlemen sitting on this side. But the noble Lord tells us, that although in favour of the abolition of church rates, he thinks that some substitute should be supplied, and he adds that this should be done in Committee. All the difficult questions of modern politics are no longer to be settled by the deliberate voice of a Senate; we are to leave them in future to the labours of Committee. The noble Lord has reminded us to-day, for the fourth time, of a speech made by a distinguished Member of the late Government, in which, referring to certain questions of detail that were then before the House, he said that Committee was the proper place for their consideration. That eminent Gentleman has achieved great celebrity, not only in politics, but also in other spheres of human distinction; but I believe there never was an individual who has obtained for one speech such an enduring celebrity as the right hon. Member for Hertfordshire, for that delivered during the discussion on the late Reform Bill. It really has become the stock in trade of the present Ministers to refer to that speech, and to avoid all the difficulties which press upon them by recommending that they should be settled in Committee, according to the prescription of my late colleague. I beg to say, however, with great deference to the noble Lord, that the question which we discussed last night, and that which we are discussing to-day are both of them questions of principle and not of detail, and questions of which those who offered a policy to us should include in their Bills at least the outlines of a settlement. It is not my intention to cast any reflection upon the hon. Baronet the Member for Tavistock. He has on this, as on every occasion, in a manly and straightforward manner, expressed his opinions, and has recommended to us the adoption of the only course which he believes will carry them into effect. He thinks that church rates ought to be abolished; he does not think that a substitute ought to be supplied. But Ministers are not of that opinion. I do not refer merely to the Secretary for Foreign Affairs, with whose extravagant notions I never could agree, because I could never think that church rates were in the English constitution what the noble Lord has more than once represented them to be; but some of his colleagues have to-day, in their more temperate and tempered view of the question, acknowledged that if the proposed change took place, a substitute ought to be furnished. What I say, then, is that if such is their opinion they are bound to supply that substitute, or at all events not to support any measure which is recommended to the House without proposing a remedy which they think so desirable. But if, under ordinary circumstances, we lay down as a principle that a Government which believes that a substitute ought to be furnished for a rate which it is prepared to abolish is bound to support no proposition which does not meet that necessity, how much more strongly should we insist upon it in the case of Ministers who have on more than one occasion with matured experience and an extensive acquaintance with the subject, given it as their opinion that the existing order of things ought to be maintained. The course which the Government is taking is not statesmanlike. It cannot be said that the legislation of the country is carried on in a becoming manner when you have a Ministry which acknowledges that changes are necessary, which states that the change proposed is not desirable, but which at the same time is not prepared to propose a measure calculated to meet the necessities of the case. I cannot conceive any position which can be more injurious to the public welfare than the one now occupied by noble Lords and right hon. Gentlemen opposite. I am prepared to admit that the present state of the question is highly unsatisfactory. I do not intend to discuss the merits of the proposal made by the late Government, but it was at least an honest and sincere effort, and I say that any Minister who professes the opinions of the noble Lord the Member for Tiverton is bound to make an attempt to settle the question. If the noble Lord and his colleagues are prepared to adopt the views of the hon. Baronet the Member for Tavistock, they are quite justified in the vote they are going to give. If they came forward and said that the principle upon which church rates are levied is essentially unjust and intolerable I could understand them, and, though I should myself shrink from the responsibility which a policy of abolition must entail upon any Ministry, I would be prepared at least to give them credit for a sincere and straightforward course. But I do not gather from the noble Lord at the head of the Government, who is the most recent convert upon this subject, that the limits of his conversion reached to that point. He is ready to abolish church rates, but he announces at the same time that a substitute ought to be supplied. Who ought to supply that substitute? If the Ministers of the Crown are incapable of presenting a measure to the House, where are we to look for the persons, the power, or the authority competent and capable to deal with such a question? I protest against the subject being treated in this manner. It is the duty of the Government either to support the present law, of course expressing upon its policy all the conclusions at which, after mature reflection, they may have arrived, or at once to accept the Bill proposed by the hon. Baronet the Member for Tavistock, and so tell us that they are not prepared to offer a substitute for the impost which they are going to terminate. Such, I think, is a fair view of the case. For my own part, I am still of opinion, notwithstanding the failure of recent attempts, that the question may yet be settled in a manner satisfactory to the country. That, however, may be a matter of doubt, but I am quite certain that no Ministry is justified in voting for the abolition of church rates, while at the same time it acknowledges that a substitute ought to be supplied, and shrinks from the responsibility of affording the remedy which the country has a right to demand.

LORD JOHN RUSSELL: Sir, I wish to state as shortly as I can the reasons why I shall give my vote for the second reading of this Bill. I have, as the House is aware, defended the continuance of church rates, and I feel very much flattered by the remark of the right hon. Gentleman opposite that I have done so effectively. Certainly I did so to the best of my power, and not feebly or evasively. I am sorry, however, to say that in the efforts which I made to prevent the abolition of church rates I had no countenance or support from the right hon. Gentleman. I had to fight what I thought a good cause without any assistance from the great leader of the Conservative party. When it was a question of the maintenance of church rates, and my noble Friend and myself fought the battle much to the displeasure of hon. Gentlemen on this side of the House, the leader of the Conservative party was entirely silent. Not a word had he to say for church rates, but now when public opinion has become, I regret to say, more and more in favour of abolition, the right hon. Gentleman comes forward and makes a speech rather of despair than otherwise on behalf of a cause which, when it was in conflict and doubt, he never defended. Now, as to the position of the question. The right hon. Gentleman says that if we maintain that church rates are utterly unjust and intolerable we shall be justified in voting for the second reading of the present Bill. I make no such assertion, nor do I understand that my noble Friend has made any such assertion. I do not think there is injustice in church rates. But I cannot conceal from myself the fact that the progress of public opinion has been entirely favourable to the cause to which I was opposed. There can be no doubt about that, and let me add—a point worthy of remarking—that though the opponents of church rates have been divided into two portions, it was against only one of them that I addressed the arguments which I used in this House. There are some who say that church rates are unnecessary, and that if they were abolished the Church would be more secure and would possess more of the affection of the people. There are others who say that it is incompatible with religious liberty that there should be any compulsory payment on account of religion. It was against those who used this latter argument that I opposed myself, and I should be equally ready to do so now. My argument was, that if there should be no compulsory payment on account of religion, then church rates must at once go, but that there is no very wide interval between that question and the question of tithes. Therefore, I said, I cannot support the abolition of church rates upon that ground. But the views of the other party are becoming more popular every day, and now the general belief is that church rates being unnecessary might be abolished without injury to the Church; nay, on the contrary, that their abolition would prove an advantage to the Church. What occurred, for example, at the recent election for the West Riding of Yorkshire? The two Liberal candidates, as might have been expected, declared that they were for the abolition of church rates—a declaration most agreeable, no doubt, to the great majority of the electors of that immense constituency. But what did the Conservative candidate say? Did he promise to stand up for church rates as absolutely necessary for the maintenance of the Established Church? Far from it. He was ready to give up that question, and unhesitatingly declared that if elected a Member of Parliament he would vote for the abolition of church rates. In fact, he had voted against them upon a former occasion, and claimed the support of even the Conservative electors upon that ground. Again, in this House, we at one time had majorities of sixty or seventy. Those majorities gradually dwindled down to twenty or thirty; at length they came to be on the other side, and for several years past there has been a considerable majority in favour of abolition. Then I have had to consider whether it was worth the while of the Church to stand upon the authority of Parliament, or rather upon the authority of the House of Lords alone, against a movement that has made great progress in the country, not only in those parishes where church rates have been contested, but in every part of the kingdom. I have had other questions to consider—questions relating, some of them at least, to the various compromises that have been proposed from time to time. Many churchmen and some bishops have thought that the question might be settled upon the following basis—that there should be two laws, a law of obligation for members of the Church, and a law not of obligation for Dissenters. I could not but see that such a change would be far more disastrous than the abolition of church rates, because a Church may well exist, as the Established Church of Ireland exists, without church rates,—for an Established Church and a church rate do not necessarily go together—whereas if you were to make a distinction and say that certain persons belonged to the Church and certain others did not, and that those who did not had not the same obligations as those who did, you would in fact separate for ever, and in all things, those who are divided now only by opinion and habit, which change from day to day. A man who has been going to a Dissenting chapel for a few months or a few years, finding that the service of the Church is better performed, or that the doctrine which is preached there is more conformable to the Gospel, may change his habits or his opinions, and again become a member of the Established Church. It is one thing to leave that daily-changing line of opinion and habit, and another to draw a marked line of separation by law, putting on one side all who belonged to the Established Church, and upon the other all who do not adhere to her communion. Such a proposal as that to which I have adverted would, if carried into effect, be very mischievous, and, instead of strengthening the Church, would degrade her into the Church, not of the nation, but only of a very powerful sect. That appears to me a question of great importance. Be it remembered, also, that there has been a great change in the aspect of this question of late years. When this question first arose there appeared little chance that if church rates were abolished the fabrics of the Church could be kept up by means of voluntary offerings, but we have seen of late years that the Established Church has become much stronger and has had much more popular acceptance, and the result is that the amount of contributions which have been made for new churches, the endowment of ministers, and other purposes of a similar kind, is far larger than twenty years ago would have been deemed possible. Moreover, the amount of compulsory church rates has very much diminished. It used to be £500,000 and upwards, while now it is about £260,000. A larger sum is derived from the voluntary contributions of the people. Considering, then, all these things, I have asked myself whether it was not probable that, if we abolished church rates and depended alone upon the voluntary contributions of the people, the various churches throughout the country would be repaired and maintained precisely as at present. There may be questions in Committee with respect, I will not say to a substitute, but to such regulations as may be deemed necessary for the collection of the voluntary offerings of the people; but what we have to decide now—I readily admit it—is the question whether the fabrics of the Church should be maintained by a compulsory vote or by voluntary contributions. I doubt whether any compromise could be made acceptable to this House or the country, but, so far from believing that the present Bill will destroy the Established Church, I am convinced that such a proposition would not meet with the approbation of this House, nor do I think that the hon. Baronet the Member for Tavistock has such an object in view. He thinks that the Church will be better supported and will become more popular if the compulsory rates are abolished.

Such is one strong argument in favour of his Bill. Neither my noble Friend nor myself say that the exaction of church rates is unjust and intolerable, but we do say, looking at the state of public opinion out of doors, and looking at the feeling of this House, that it will be better and safer for the Church to rely upon the voluntary offerings of the people than to continue a compulsory rate which is disliked by almost all classes of the community.

Question put, "That the word 'now' stand part of the Question."

The House *divided* :—Ayes 263; Noes 193: Majority 70.

List of the AYES.

Acton, Sir J. D.
Adam, W. P.
Agnew, Sir A.
Alcock, T.
Andover, Visct.
Angerstein, W.
Antrobus, E.
Ashley, Lord
Atherton, W.
Ayrton, A. S.
Bagwell, J.
Bailey, C.
Ball, E.
Baring, H. B.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Baxter, W. E.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Berkeley, hon. H. F.
Berkeley, Col. F. W. F.
Biddulph, Col.
Biggs, J.
Black, A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brady, J.
Brand, hon. H.
Bright, J.
Briscoe, J. I.
Bristow, A. R.
Brocklehurst, J.
Bruce, H. A.
Buchanan, W.
Buckley, Gen.
Bulkeley, Sir R.
Buller, J. W.
Bury, Visct.
Butler, C. S.
Buxton, C.
Byng, hon. G.
Caird, J.
Calthorpe, hon. F. H. W. G.
Campbell, hon. W. F.
Cardwell, rt. hon. E.
Castlerosse, Visct.
Cavendish, hon. W.
Clay, J.
Clifford, C. C.
Clifford, Col.
Clive, G.
Cogan, W. H. F.
Coke, hon. Col.
Colebrooke, Sir T. E.
Collier, R. P.
Coningham, W.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crossley, F.
Dalglish R.
Davey, R.
Davie, Sir H. R. F.
Davie, Col. F.
Deasy, R.
Denison, hon. W.
Denman, hon. G.
Divett, E.
Dodson, J. G.
Douglas, Sir C.
Duff, M. E. G.
Duff, Major L. D. G.
Dunbar, Sir W.
Duncan, Visct.
Duncombe, T.
Dundas, F.
Dunlop, A. M.
Dutton, hon. R. H.
Egerton, E. C.
Ellice, rt. hon. E.
Ellice, E.
Elphinstone, Sir J. D.
Ennis, J.
Esmonde, J.
Euston, Earl of
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. C.
Fenwick, H.
Ferguson, Col.
Fermoy, Lord
Finlay, A. S.
FitzGerald, rt. hon. J. D.
FitzRoy, rt. hon. H.
Foley, J. H.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Fortescue, hon. F. D.
Fortescue, C. S.
Fox, W. J.
Freeland, H. W.

Garnett, W. J.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Glyn, G. C.
Glyn, G. G.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greenwood, J.
Gregory, W. H.
Gregson, S.
Grey, rt. hon. Sir G.
Grey, R. W.
Gurney, S.
Hadfield, G.
Hanbury, R.
Handley, J.
Hankey, T.
Hanmer, Sir J.
Harcourt, G. G.
Hardcastle, J. A.
Headlam, rt. hon. T. E.
Heneage, G. F.
Henley, Lord
Herbert, rt. hon. H. A.
Hodgkinson, G.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hutt, W.
Ingham, R.
Ingram, H.
James, E.
Jervoise, Sir J. C.
Johnstone, Sir J.
Keating, Sir H. S.
Kershaw, J.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Col.
Knatchbull-Hugessen.
Labouchere, rt. hon. H.
Laing, S.
Langton, W. H. G.
Lanigan, J.
Laslett, W.
Lawson, W.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Levinge, Sir R.
Lewis, rt. hon. Sir G. C.
Lindsay, W. S.
Locke, Joseph
Locke, John
Lowe, rt. hon. R.
Lyons, Dr.
Lysley, W. J.
Mackie, J.
Mackinnon, Wm. Alex. (Lymington)
Maguire, J. F.
Mainwaring, T.
Marsh, M. H.
Martin, P. W.
Martin, J.
Massey, W. N.
Matheson, A.
Mellor, J.
Merry, J.
Mildmay, H. F.
Miller, W.
Mills, T.
Moncreiff, J.
Monk, C. J.
Monson, hon. W. J.
Morris, D.
Mostyn, hn. T. E. M. L.
Napier, Sir C.
Noble, J. W.
North, F.
O'Donoghoe, The
O'Ferrall, rt. hn. R. M.
Onslow, G.
Paget, C.
Paget, Lord C.
Palmerston, Visct.
Paxton Sir J.
Pease, H.
Pechell, Sir G. B.
Perry, Sir T. E.
Peto, Sir S. M.
Pigott, F.
Pilkington, J.
Pinney, Col.
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Price, W. P.
Pryse, E. L.
Pugh, D., Carmarthen
Ramsden, Sir J. W.
Raynham, Visct.
Ricardo, O.
Rich, H.
Ridley, G.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Russell, Lord J.
Russell, H.
Russell, A.
St. Aubyn, J.
Salomons, Mr. Ald.
Salt, T.
Schenley, E. W. H.
Schneider, H. W.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seymour, H. D.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, R. B.
Sheridan, H. B.
Smith, J. B.
Smith, A.
Somerville, rt. hon. Sir W. M.
Staniland, M.
Stansfield, J.
Steel, J.
Stuart, Lord J.
Stuart, Col.
Sullivan, M.
Sykes, Col. W. H.
Talbot, C. R. M.
Taylor, H.
Tollemache, hon. F. J.
Tomline, G.
Turner, J. A.
Vane, Lord H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Walter, J.
Walters, R.

Watkins, Col. L.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Whalley, G. H.
Whitbread, S.
White, Col. L.
Wickham, H. W.
Willcox, B. M'G.
Williams, W.
Willoughby, Sir H.
Wilson, rt. hn. J.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wynne, C. G.
Wyvill, M.

TELLERS.
Dillwyn, L. L.
Baines, E.

List of the NOES.

Adderley, rt. hon. C. B.
Anson, hon. C.
Arbuthnott, hon. Gen.
Astell, J. H.
Baring, T.
Barrow, W. H.
Bathurst, A. A.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. W. P.
Beresford, rt. hon. W.
Bernard, T. T.
Blackburn, P.
Bond, J. W. M'G.
Booth, Sir R. G.
Botfield, B.
Bramston, T. W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Major C.
Bruen, H.
Burghley, Lord
Burrell, Sir C. M.
Cartwright, Col.
Cave, S.
Cecil, Lord R.
Churchill, Lord A. S.
Clinton, Lord R.
Close, M. C.
Cochrane, A. D. R.W.B.
Codrington, Sir W.
Cole, hon. Col.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Damer, S. D.
Dawson, R. P.
Deedes, W.
Dickson, Col.
Disraeli, rt. hon. B.
Drummond, H.
Duncombe, hon. A.
Duncombe, hon. W. E.
Du Pre, C. G.
Earle, R. A.
Edwards, Major
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Estcourt, rt. hn. T. H. S.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Ferguson, Sir R. A.
Filmer, Sir E.
Forester, rt. hon. Col.
Galway, Visct.
Gard, R. S.
George, J.
Gladstone, Capt.
Gladstone, rt. hon. W.
Goddard, A. L.
Gordon, C. W.
Gore, J. R. O.
Gore, W. R. O.
Graham, Lord W.
Griffith, C. D.
Grogan, Sir E.
Hamilton, Lord C.
Hamilton, J. H.
Hanbury, hon. Capt.
Hardy, G.
Hartopp, E. B.
Henley, rt. hon. J. W.
Hennessy, J. P.
Henniker, Lord
Herbert, Col. P.
Heygate, Sir F. W.
Hill, Lord E.
Hill, hon. R. C.
Hoare, J.
Holdford, R. S.
Holmesdale, Visct.
Hood, Sir A. A.
Hope, G. W.
Hopwood, J. T.
Hornby, W. H.
Howes, E.
Hubbard, J. G.
Hume, W. W. F.
Hunt, G. W.
Ingestre, Visct.
Jervis, Capt.
Joliffe, rt. hon. Sir W. G. H.
Jolliffe, H. H.
Kekewich, S. T.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Kerrison, Sir E. C.
King, J. K.
Knightley, R.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Col.
Long, R. P.
Long, W.
Longfield, R.
Lowther, Capt.
Lyall, G.
Lygon, hon. F.
Macaulay, K.
Malins, R.
Manners, rt. hn. Lord J.
March, Earl of
Matheson, Sir J.
Miller, T. J.
Mills, A.
Mitford, W. T.
Montgomery, Sir G.
Moody, C. A.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, rt. hon. D.
Murray, W.
Naas, Lord
Newark, Visct.
Newdegate, C. N.
Nicol, W.
Noel, hon. G. J.
North, Col.
Northcote, Sir S.
Packe, C. W.
Pakenham, Col.
Pakington, rt, hn. Sir J.
Papillon, P. O.
Parker, Major W.
Patten, Col. W.
Paull, H.
Peel, rt. hon. Gen.
Pevensey, Visct.
Philipps, J. H.
Potts, G.
Powys, P. L.
Pugh, D., Montgomery
Puller, C. W. G.
Quinn, P.
Ridley, Sir M. W.
Rogers, J. J.
Rolt, J.
Salt, T.
Sclater-Booth, G.
Selwyn, C. J.
Seymer, H. K.
Sibthorp, Major
Smith, A.
Smollett, P. B.
Somerset, Col.
Spooner, R.
Steuart, A.
Stewart, Sir M. R. S.
Stuart, Major W.
Sturt, H. G.
Stracey, Sir H.
Talbot, hon. W. C.
Taylor, Col.
Tempest, Lord A. V.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Trefusis, hon. C. H. R.
Upton, hon. Gen.
Valletort, Visct.
Vance, J.
Vansittart, W.
Verner, Sir W.
Vernon, L. V.
Walcott, Admiral
Walpole, rt. hon. S. H.
Watlington, J. W. P.
Way, A. E.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Col.
Woodd, B. T.
Wyndham, Sir H.
Yorke, hon. E. T.

TELLERS.
Du Cane, C.
Montagu, Lord R.

Main Question put, and *agreed to.*
Bill read 2°.

On Question that the Committee upon the Bill be fixed for to-morrow,

MR. WALPOLE said, he understood the noble Viscount to intimate that in Committee arrangements might be made for establishing some substitute in place of church rates. If clauses to this effect were to be introduced the Government no doubt would take them in hand, and give notice of their purport. This, however, would render it necessary to go into Committee to-morrow. Perhaps the noble Viscount would state his intention on this point?

VISCOUNT PALMERSTON said, that in speaking of a substitute for church rates he was referring only to voluntary contributions.

MR. NEWDEGATE said, that in the last Parliament he had proposed a Committee of the whole House to consider the propriety of imposing on all property with respect to which church rates had been paid for seven years a charge of 2*d.* in the pound, to be levied on the occupier, giving him the opportunity of recovering the same rom the landlord. He now gave notice that he should renew this Motion upon the order for going into Committee.

Mr. DILLWYN said, that the Bill had come very unexpectedly into his hands on account of the illness of the hon. Baronet the Member for Tavistock, and he was quite willing to take any course which was for the convenience of the House.

Bill *committed* for *To-morrow.*

House adjourned at half-after Five o'clock.

HOUSE OF LORDS,

Thursday, July 14, 1859.

Minutes.] *Sat First in Parliament.*—The Duke of Leeds—after the Death of his Cousin; The Viscount Hood—after the Death of his Father.
Public Bills.—2ª Attorneys and Solicitors.

AFFAIRS OF ITALY.

NOTICE OF MOTION WITHDRAWN.

Lord STRATFORD DE REDCLIFFE said, that as he had lately postponed the Motion of which he had given notice on this subject in consequence of the receipt of the news of an armistice, he wished now to state that in consequence of the still more important news which had since been received the Motion would drop altogether. If at any future time it should be necessary to call attention to the correspondence laid on the table, it must be under a different form, and he would therefore now ask permission to withdraw the notice of Motion which he had placed on the table.

ATTORNEYS AND SOLICITORS BILL.

SECOND READING.

The LORD CHANCELLOR, in moving the second reading of this Bill, said that its object was to improve the education of attorneys and solicitors. He would not dwell on the importance of that branch of the legal profession, or the confidence necessarily reposed in them in all the affairs of life. Although some amongst them, such as the late Mr. Roscoe, of Liverpool, had great literary acquirements, it was generally that they had not received a liberal education, being too much engrossed in early life by professional pursuits. This Bill was intended to facilitate and encourage literary studies in the case of young men designed for that profession—and for this purpose it offered certain advantages to those who should have taken a degree at Oxford or Cambridge, or at the Universities of Dublin, Durham or London, or in the Queen's University in Ireland. At present before a man could be admitted to practise as an attorney he must have served under articles for five years. It was now proposed that those who had taken University degrees should be admitted after serving three years in clerkship under articles. It was also proposed that any young man who had successfully passed the middle-class examination lately established throughout the country by the Universities of Oxford and Cambridge, should have his clerkship abridged by one year, so that it would only be necessary for him to serve under articles four years instead of five. Another clause extended the 6th and 7th *Vic.*, c. 73, to persons articled for four years, one of which might be served with a barrister. Another clause of the Bill gave power to the Judges to form regulations by which, before an attorney entered into his clerkship, he should undergo an examination, and this examination should be reviewed before he was admitted to practice. These enactments were to extend to the attorneys of the counties palatine of Lancaster and Durham. It might be asked how these regulations would compare with those for the education of members of the bar. He was ashamed to say that this had been formerly in a very lamentable condition; but it was not necessary to introduce any legislative measure on the subject because the Inns of Court had abundant power in their hands to deal with it. A system had now been established, mainly through the exertions of his learned Friend Sir Richard Bethell, the present Attorney General, by which before any student was called to the bar by an Inn of Court, he must undergo an examination, or give proof of regular attendance at lectures. That system had already been productive of the best results, and it was to be hoped that the Bill now proposed would do as much to improve the education of the other branch of the profession.

Lord BROUGHAM expressed his approbation of the Bill.

Bill read 2ª and *committed* to a Committee of the whole House on *Tuesday* next.

HUDSON'S BAY COMPANY.

QUESTION.

THE EARL OF CARNARVON said, that before he put the Question of which he had given notice to the noble Duke opposite (the Duke of Newcastle) he would ask their Lordships' permission to make a few remarks upon the very important subject to which it referred. He wished to ask the noble Duke whether the Government proposed, during the present Session, to take any steps in reference to the North American Territories over which hitherto the Hudson's Bay Company have held an exclusive Licence of Trade with the Indians. Their Lordships were aware that the rights and claims of the Hudson's Bay Company to the territories which they now governed were of a two-fold character; first, that territory which they held round that great inland sea, the Hudson's Bay, and the rivers and streams that run into it, which they possesed by charter granted by *Charles* II.; and second, that vast district running inland to the base of the Rocky Mountains, and extending over nearly 1800 miles, which they held by virtue of an exclusive license to trade with the Indians. In 1821 an Act of Parliament was passed which empowered the Crown to issue licences for the occupation of this district, and advantage was immediately taken of it by the Hudson's Bay Company to obtain the occupation of the country. Those licences were renewed from time to time, and the last granted in 1838 for twenty-one years; they were now on the eve of expiring, and his right hon. Friend, who was lately at the head of the Colonial Office (Sir E. Bulwer Lytton), after the fullest consideration he could give to the subject, came to the opinion that it was inexpedient to renew the licence on the same terms as heretofore. Great changes were taking place, year after year, in that region of the world; British Columbia had risen to a very considerable position, and Canada itself had acquired a great augmentation of population and wealth. All these conditions were adverse to the renewal of the licence. There was a strong opinion, also, prevailing upon the subject both here and in Canada, adverse to the renewal of the licence. His right hon. Friend had therefore determined not to renew the licence. But as it was obviously a very dangerous policy to allow this extensive tract of country to remain altogether whithout a Government his right hon. Friend proposed to renew the Hudson's Bay Company for one year, and afterwards he extended his offer to two years, to allow time for some other arrangement to be made for the government of the country; but the Hudson's Bay Company declined both offers. It was not for him to question the grounds on which they had come to that decision; but certainly, considering the long connection they had had with the district, the advantages they had hitherto derived from it, and the close relation in which they had hitherto been with the Indians, he thought they incurred a serious responsibility by their conduct. But he thought his right hon. Friend was justified in not offering to extend the renewal of the licence for more than two years, because in the course of that time they might expect great changes to take place over the whole northern portion of that continent. The rise of the colony of British Columbia had greatly fostered the growth of colonization there, and though it was not more than twelve months since that colony sprang into existence there was already a population there of 10,000 persons. In the course of the next two years, therefore, there was every reason to expect that arrangements would be made which would enable the Government to arrange for the government of this territory in a more satisfactory and permanent manner. As it was, the reasons which first formed the justification for granting the licences, and thus securing to the Hudson's Bay Company a practical monopoly of these hunting grounds, no longer existed. At the time when these licences were first granted there had been a feud between the Hudson's Bay Company and the North-West Company, in which blood was shed, and frequent atrocities committed, and it became necessary for the Government to interfere, at all hazards, to secure peace. At that time the Canadas and the other British North American provinces were in a very undeveloped state; questions of internal administration naturally occupied their attention, and diverted them from any connection with a district which geographically was then so far separated from them. If therefore those vast hunting grounds to the north-west, divided from Canada by lakes and rivers, and by an immense interval of space, had been placed under the Canadian jurisdiction, that jurisdiction would have been little more than nominal. On the other hand, to have abandoned the territory would have been to invite a recurrence of the old feuds.

The exclusive licence was therefore bestowed on the Hudson's Bay Company. But now all these circumstances were materially modified. He certainly did not mean to argue the question of monopoly on general grounds, as he believed all their Lordships were convinced that a monopoly, except the most pressing necessity could be shown for its existence, was indefensible. But it was argued that there were such grounds to be urged in favour of the monopoly of the Hudson's Bay Company; and, first of all, it was said that their monopoly was essential to the welfare of the natives. Now, he was ready to admit that their rule over the natives had been mild and on the whole beneficial; but they had kept them in the most absolute and child-like dependence on the Company not only for the luxuries and conveniences of life, but for the most common necessaries — for powder and shot, food and clothing. This state of things rendered it necessary to proceed with caution, lest the sudden withdrawal of that superintendence should prove destructive to the Indians; and therefore he trusted that the noble Duke, if he made any changes, would exercise the utmost vigilance as to their working, else the population of this district might be exposed to some serious catastrophe. Then it was said that this monopoly was the only means by which they could preserve the fur trade. Now, he was quite willing to admit the value of that trade, but surely it would not be maintained that it was the all-important subject for consideration in this House. He, for one, saw no difficulty in devoting a considerable portion of the territory—say the northern portion, which was most adapted for the purpose—to the fur trade; but the southern portion, which offered great facilities for colonization, ought no longer to be left waste for the purpose of stimulating the fur trade. The first object which the Government ought to have before them was as soon as possible to provide some provisional means by which persons might be authorized to dispense in a general way a rough sort of justice, or the power to decide cases of dispute both among the white settlers themselves and between the white men and the Indians; while all grave and serious offences might be sent to be tried at one or other of the neighbouring colonies—British Columbia on the Red River Settlement. Such a mode of administering justice ought to be sufficiently simple and elastic as to be capable of being adapted to all the circumstances of the territory. It would not be necessary to have a large staff of magistrates for the purpose, but he would place them in much the same position that was occupied by the British vice-consuls in the East. If they were at first well selected he was sure they would exercise great influence over the natives. There was one point more to which he wished to call the attention of the noble Duke. It was said that the country was impracticable for colonization. Now, he had already admitted that a considerable portion of the territory was so. But in the southern portion there were considerable tracts of good land. A Committee of the House of Commons had lately sat on this question, before whom witnesses were examined, who reported most favourably from personal experience of the capabilities of the country. They described it as abounding in wood and water. About two years ago an expedition started through the country, and they described the soil from the Red River Settlement to the base of the Rocky Mountains, and their testimony was to the same effect. This was the country where enormous herds of buffaloes were to be found, which, of course, argued something for the goodness of the pasture. He might add that the very same argument was used some years ago against the colonization of British Columbia, yet no one now denied that that country had in it all the elements of prosperity. It was true that gold had been the effectual means by which a population had been drawn to British Columbia and other new countries; but wherever nature afforded a fair prospect of reward to encourage the energy of man, there colonization might be expected to advance, if it were not precluded by impolitic restrictions. What he wished to impress upon the Government was, first of all, the necessity of establishing good communications between Canada and British Columbia; secondly, the formation of colonies—he did not care how small they were—which would indicate our title to the undivided sovereignty of the territory on the northern side of the boundary line; and, in the meantime, the establishment of a provisional system of government, and the appointment, as soon as possible, of magistrates, who might exercise more or less control and administer justice; above all, he would impress upon the Government that the privileges of a trading company ought not to be allowed to stand in the way of Imperial colonization. It was most important that no time should be lost in carrying these objects into effect, and he hoped that the noble Duke opposite would be in a position to state that steps would be taken immediately to do so.

THE DUKE OF NEWCASTLE said, that the noble Lord had made so long and interesting a tour in North America, and travelled so far beyond the limits of the Question of which he had given notice that he was afraid that he might forget to answer all the points in detail. He recognized to its full extent the importance of this question, affecting the relationships of the Hudson's Bay Company with that immense tract of territory lying between the boundaries of Upper Canada on one side, and the higher portion of the Pacific Ocean on the other. He was not sure that, having so recently assumed the seals of the Colonial Office, he should, under ordinary circumstances, have been prepared to answer the question; but having paid a great deal of attention to the subject for some years, he could venture to do so without any fear of doing injustice either to the Hudson's Bay Company or the other important interests involved, inasmuch as twelve years since, as a private Member of the House of Commons, he brought the whole question of the relations of the Hudson's Bay Company with this territory before that House. The noble Earl, in the latter part of his observations, had travelled a good deal beyond the limits of what was termed the licence territory, and had encroached upon that portion of the country in which the Hudson's Bay Company exercised proprietary rights, and which was known as the charter district, from being held under a charter of Charles II. He had also touched upon negotiations which were still pending with the Hudson's Bay Company with respect to that charter, and therefore the noble Earl must excuse him if he did not follow him in detail upon that portion of the subject, and confined his observations to the licensed portion of the territory which lay between the Rocky Mountains and the ocean. The noble Earl asked whether the Government thought it was proper or not to advise Her Majesty to renew the licence of the Hudson's Bay Company, which, after having been in existence for forty-two years, expired in May last. He so far differed with the noble Earl that he considered it was an extremely fortunate thing that the question had been left open, and that the Hudson's Bay Company did not accept either of the offers made by the right hon. Baronet, after full consideration of the question, and, no doubt, with the best intentions towards them, for the extension of the licence for one or two years. He rejoiced that those offers were rejected, not only as they affected the interests of the Company, but the interests of other parties; because he was thoroughly convinced that it was far better that the question should be settled at once than that it should be delayed two or three years more, when, in consequence of the extension of colonization, the discovery of gold in British Columbia, and other circumstances, the settlement of the rights of the Hudson's Bay Company might have become an exceedingly difficult and embarrassing question. He would state at once to the noble Earl that it was not the intention of the Government to recommend Her Majesty to sanction a renewal of the licence to the Hudson's Bay Company for any time whatever; and therefore all that remained was to make such provisions for the government of that territory as were rendered necessary by the extinction of the power of the Company. No doubt it was desirable, as the noble Earl had said, that some provisions should also be made for the regulation of trade and securing the relation between the white settlers and the Indians, and for that purpose legislation would be necessary, but that legislation need not be of a very complicated character. Power would have to be taken to provide a magistracy for the settlement of disputes and the administration of justice in all simple and ordinary cases, and in the course of a few days, the Government intended to introduce, either in their Lordships' House or the House of Commons, a measure authorizing the appointment of such magistrates. It would not be necessary in the first instance to go to any great expense in the matter by sending out magistrates from England; all that was required would be to select the most respectable and competent persons in the district, granting them power to deal summarily with small cases, but providing that in all cases of an aggravated description, the question of the amount of punishment should be awarded by a superior court; and therefore power would be given to remit such cases either to Canada or to British Columbia. Her Majesty's Government would also have to advise Her Majesty to lay down regulations of trade with the Indians, in order to prevent those excesses which unscrupulous traders would practise on the unhappy natives when all those restrictions were removed which were imposed by the Hudson's Bay Company, andthe exclusive licences were done away with. He thought he had now answered succinctly all the questions of the noble Earl. But it appeared to him, that the main point to which the speech of the noble Earl was directed was the necessity of encouraging emigration as much as possible, in order to colonize the more southern portion of the late Hudson's Bay Company's licensed territory, and he also referred to that portion of the country on this side of the Rocky Mountains. Now he (the Duke of Newcastle) did not think it necessary that the Colonial Office should take any decided steps in the promotion of colonization. Of course it was their duty to give every facility to emigration, and remove all impediments in its way. At the same time, he thoroughly concurred with the noble Earl that at some future time this question might become one of great importance. Another point raised by the noble Earl was the necessity of some regular communication between the boundaries of Canada on one side, and the boundary of Vancouver's Island on the other, and he stated that a representation was made to the late Government to induce them to assist in establishing some such line of communication. He was aware that some scheme had been proposed for the construction of a railroad, and he was not one of those who looked upon it as visionary; but, on the contrary, anticipated that the day would come when railroad communication would be made the whole distance. The Government would be anxious to give every proper encouragement to any scheme proposed either by the proposed Company or any other, but they did not contemplate at present the extension of communications by means of subsidies, and if this question involved a demand for a very large subsidy it would be highly objectionable. At the same time he fully admitted the great national importance of a communication across the continent, and such a scheme might depend upon having the warm support of the Government.

ARMAMENT OF MERCHANT STEAM-VESSELS.—QUESTION.

THE EARL OF AIRLIE rose to ask Her Majesty's Government whether they had taken into consideration the Expediency of entering into Arrangements with Persons or Companies owning Steam Vessels other than those which carry the Mails, for the purpose of rendering such steam vessels capable of carrying Armaments of heavy guns, if required? He said that it was well known that steamers which received Government subsidies to carry mails were under engagement tha they should be so constructed as to be able to carry guns in case of necessity, and should be placed at the service of the Government for warlike purposes if required. But there was a very prevalent impression that the contract that these steam vessels should be so constructed as to be capable of being turned into armed vessels had been very imperfectly kept, and that in fact they were not capable of carrying any armament. If this were the case, it was time that the public should know the real fact, and that the contracts should be more rigorously enforced. But as the principle had been admitted that certain steamers—commercial steamers—should be so fitted as to be able to carry heavy guns, why should not the same arrangement be applied to other steam vessels as well as those which carried mails? The steamers which carried mails had a Government agent on board, but he did not know if it was his duty to see if the vessel was seaworthy; but under the Passengers' Act the Government had the power of ascertaining whether any steamer which carried passengers was seaworthy. The service of large steamers carrying mails was of great importance to the public; it was important that the mails should be regularly transmitted, and the service liable to no interruption. A strong case, therefore, ought to be made out before the Government should take these vessels for warlike purposes. There had been lately published a pamphlet by a gentleman whose opinion was of great weight on all matters relating to steam navigation—Mr. Laird. That gentleman said that many steam vessels employed in the coasting trade of a smaller description might be used for warlike purposes, and be useful in defending the coast and the mouths of great rivers like the Mersey, which were now unprotected. Mr. Laird had made an estimate of the cost of fitting these vessels for warlike purposes. His scheme was that the vessels should be made so strong as to be capable of mounting heavy guns, and he proposed to fit out 200 of these vessels so as to serve as gunboats. Mr. Laird put the cost of building and fitting 200 gunboats at £1,900,000, and the annual charge for keeping them up he put at 10 per cent of the cost, or £190,000. The cost of fitting vessels already in existence as gunboats would, he calculated, be £200 each, or £40,000; and the annual charge for them at £100 each, or £20,000. The difference between the expense of regular gunboats and the fitting of the proposed vessels for the purpose of converting them into gunboats was, that the former would cost exactly eleven times as much as the latter. Mr. Laird, however, admitted that he did not expect that the vessels so fitted would be quite so well adapted as regularly built gunboats for warlike purposes. These vessels besides would be quite as quickly made available for service as the gunboats laid up in ordinary, especially considering the way in which those vessels had been treated. It was not for him to say whether Mr. Laird's scheme was a feasible one, and if it was carried out, in what manner it was to be carried out. Vessels of that description ought certainly to be manned in such a manner as not to interfere with the manning of the regular navy. Men might be got for that service beyond the age when they would be received into the navy for continual service. It was quite certain it was not possible to construct fortifications sufficient for the defence of the whole of our coasts, and if we could we should not be able to man them; while any fortifications, if they were so situated as not to be efficient, had better not be erected at all. Some such scheme as this was therefore necessary, but it was not necessary to go to any great expense at first, but to try it on a small scale in the first instance. He would not at that late hour enter, as he might have done earlier in the evening, into the general subject of our national defences, but he would content himself with putting the question of which he had given notice.

THE DUKE OF SOMERSET said, their Lordships were probably aware that for the last fifteen or sixteen years this subject had, at various times, been brought under the consideration of Parliament. For many years, indeed, it was part of the contract of those great companies which carried the West India and other mails that they should adapt their vessels for the purpose of carrying armaments. This went on for some time; until about 1852 a Committee, consisting of naval and military officers, was appointed to examine into this question. That Committee went into the subject with great care, and they surveyed almost all the steam vessels round the coast of England. The general result of their report was, that it was not expedient to attempt to render these vessels fit for war purposes; that, in fact, the attempt to make them fit for war purposes would render them very unfit for commercial vessels. In 1853 another inquiry was instituted, going still further into the matter: and that, probably, accounted for some little difference in the report. It was on that occasion admitted that by a considerable expenditure some of the steam vessels might be rendered fit to carry armaments, but not fit to cope with vessels of war; that they might be made fit to defend themselves, and thus be so much more fitted for the conveyance of troops; but even that the Commission, which looked into the matter with very great care, and which consisted entirely of professional men, did not recommend. At the same time they stated that some of these vessels, in the case of an emergency, might, at an expense of £3,000 or £4,000 each, be rendered available for defence. The proposal of Mr. Laird was much to this effect—that there were certain steam tugs and other small vessels, especially in the Mersey, which might be fitted up for the defence of that river. As soon as that question was brought before the Admiralty they sent down agents and had those vessels surveyed, that they might ascertain how far it was possible that some of them might be used for that purpose. He did not anticipate that very much would result from this inquiry; but at the same time it was desirable that they should know how far these vessels might be rendered fit for the defence of the river. He did not think that anybody now was of opinion that our large steamers which went round the coast or to our colonies could be rendered fit for war; and he believed that any attempt to make them so would only be throwing the money away. But there was no doubt that from the great resources of these Companies, they could, on any pressing emergency, rapidly turn out vessels which would be available for war, and they had the means of putting on board engines that would produce in a short time a very considerable steam navy. The late Government had tried this to some extent by making arrangements to build a certain number of corvettes by contract, a species of vessel which the commercial yards were peculiarly qualified to deal with, and if any sudden emergency should arise he should be inclined to deal with the matter in the same spirit. He would conclude by saying, in answer to the noble Earl, that the Government had considered the expediency of converting small steam tugs and other vessels into ships of war, but they did not contemplate re-opening the question, which was thoroughly discussed in 1852 and 1853. The reports made on those occasions were printed, and could be referred to by anybody who wished to investigate the matter.

THE EARL OF HARDWICKE thought that this matter was of some importance, as bearing upon the defence of our shores. He did not think, unless an expensive system of investigation were set on foot in reference to the construction of merchant vessels, which would cause great expense, and very much interfere with trade, there was any likelihood of merchant vessels being very well suited for war. He therefore very much concurred with the noble Duke that anything of the kind proposed would waste the public money without any adequate result. With our immense power of production he believed that we could produce such a quantity of ships as would meet any emergency. He did not think it was necessary to rely on our mercantile marine for the purposes of war.

House adjourned at a quarter past Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 14, 1859.

MINUTES.] PUBLIC BILLS.—2° Law Ascertainment Facilities.
3° Admiralty Court Bill.

SUBMARINE TELEGRAPH COMPANY.

EXPLANATION.

SIR STAFFORD NORTHCOTE said, he would beg to trespass on the attention of the House for a few moments with reference to a statement he had made the other night in his speech on the Red Sea and India Telegraph Bill. On that occasion he had stated that certain conditions had been made by the Submarine Telegraph Company with the Government of France. He had since received a letter from the chairman of the Submarine Company, which he would take the liberty of reading to the House.

MR. SPEAKER said, that the hon. Member could not read a letter relating to a former debate.

SIR STAFFORD NORTHCOTE said, in that case he would confine himself to the statement, that he was in error in saying that the arrangement made by this Company with the French Government, gave to that Government a priority over the British Government, in the right of transmitting messages.

BARRACKMASTERS.—QUESTION.

MR. LANIGAN said, he would beg to ask the Secretary of State for War when the arrangement for improving the condition of Barrackmasters will be carried into effect?

MR. SIDNEY HERBERT said, that the scheme, if carried out, would be for the benefit of barrackmasters. They would be divided into classes, and would be promoted from one to another. The whole subject had received great attention from his predecessor in office, and he would announce the decision of the Government in a few days.

SHERIFF COURTS (SCOTLAND).

VISCOUNT DUNCAN said, he rose to ask the Lord Advocate, whether it is the intention of the Government to include any provision in the Estimates of the present year for the Sheriff Courts in Scotland?

THE LORD ADVOCATE said, he understood that in the Estimates of the present year there was no such Vote, and without an Act of Parliament it would not be possible for the Government to include a sum in the Estimates for that purpose.

MUTINY COMPENSATION (INDIA).

QUESTION.

MR. W. VANSITTART said, he wished to ask the Secretary of State for India, whether the Report from the Government of India respecting compensation for losses sustained during the late mutiny has been received; and, if so, whether it is his intention to lay such Report on the table of this House?

SIR CHARLES WOOD said, that Report from India had been received upon compensation for losses incurred during the mutiny, but it was not a final Report. The whole subject would have to come under the notice of the House, but he was not prepared at present to say, whether he should be able to lay the Report on the table, as he apprehended it might be necessary to communicate with the Government of India upon it.

VERIFICATION OF WEIGHTS AND MEASURES.—QUESTION.

MR. EDWIN JAMES said, he would beg to ask the Secretary of State for the Home Department, whether any information has reached Her Majesty's Government to the effect that more than two-thirds of the provincial and local Standards of Weights and Measures have been used more than twenty years without reverification, and that the same are defective and unjust, and cannot be relied on as tests of accuracy; that such Standards nevertheless furnish the legal means and evidence by which the integrity and accuracy of the Weights and Measures used by the tradesmen for commercial purposes are ascertained and tested; that legal convictions take place and penalties are enforced for non-conformity to such Standards; and, if so, whether Her Majesty's Ministers intend to take any steps for the prevention of so great an injustice.

SIR GEORGE LEWIS said, that the Question of his hon. and learned Friend was founded upon a Report of the Astronomer Royal which was laid before Parliament last session. That Report stated that besides the standards of weights and measures deposited in the Exchequer, under the custody of the Comptroller of the Exchequer, there were certain provincial and local standards of weights and measures, which might be called secondary standards, as to which there had been a deficiency of reverification of late years. The process had been very irregularly repeated; and, in answer to his hon. and learned Friend's question, he would beg to remark—first, that there was no need of the process of reverification being repeated very often, as the Standards, having been once verified, were subject to very little wear and tear and to little or no change; and, secondly that the law did not provide a fund for the payment of the costs of such reverification, which must fall either upon the public purse or upon some local fund.

MR. WALPOLE said, he wished to inquire whether the Act of Parliament was not defective as to the subject of verifying these Weights and Measures; and, if so, whether the right hon. Gentleman intended to bring in a Bill to remedy the defect?

SIR GEORGE LEWIS said, he should have no objection to the introduction of a measure on the subject, if the question of how the expense of the reverification should be borne could be satisfactorily settled.

INDIAN FINANCIAL STATEMENT.

QUESTION.

MR. BRIGHT said, he wished to put again a question to the Secretary of State for India which he had asked him a few nights ago, namely, whether he is able to inform the House when he will bring forward the question of Indian Finance, and whether he has any objection to lay upon the Table the latest despatches which he has received from India on that subject? The noble Lord (Lord Stanley), who filled the office before the right hon. Baronet, had followed that course, and the House had been given to understand that it would be followed out in future.

SIR CHARLES WOOD said, that with regard to the latter part of the hon. Gentleman's Question he had laid upon the table within the last quarter of an hour the last despatches which he had received from India; and, with regard to the former part of the Question, he could not at present name the day on which he should be prepared to bring forward the subject of Indian Finance, as the general financial statement of his right hon. Friend the Chancellor of the Exchequer must take precedence; when his right hon. Friend had made his statement, he (Sir Charles Wood) would make his statement on Indian finance at the earliest possible moment.

LONDON CORPORATION REFORM.

QUESTION.

SIR JOHN SHELLEY said, he wished to ask the Secretary of State for the Home Department, if he thought it was right that the Bill for the reform of the Corporation should be brought forward at this period of the Session? Under the circumstances, he wished to ask the right hon. Gentleman if he intends to proceed with a measure which must call up much opposition?

SIR GEORGE LEWIS said, he could

only state that he had been led to understand that there would be no general opposition to the Bill. His present wish was to fix a day for the second reading of the Bill.

LEAVE OF ABSENCE TO MEMBERS.

On the Motion of Mr. BRAND, leave of absence for the remainder of the Session was given to the Earl of Gifford, on account of ill health.

SIR WILLIAM JOLLIFFE moved that a fortnight's leave of absence be granted to Mr. Tottenham for a similar cause.

MR. WALPOLE said, he desired to have some further information on this subject. It was very important that leave of absence should not be unnecessarily extended at this period of the Session, otherwise there would be a very unequal pressure upon Members serving upon Election Committees. He thought that those who moved for leave of absence for other Members should ascertain whether the grounds were really such as to justify the indulgence.

SIR WILLIAM JOLLIFFE said, he could assure the right hon. Gentleman that he had ascertained the facts in this instance. Mr. Tottenham met with an accident a short time ago, and was suffering from a slight concussion of the brain, and he (Sir W. Jolliffe) had in his pocket a doctor's certificate upon the point.

Motion *agreed to.*

THE BUDGET.—QUESTION.

MR. HORSFALL said, he rose to ask whether the Chancellor of the Exchequer can now fix the day upon which he will make his financial statement?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I cannot, I am afraid, give an absolute answer to the question of the hon. Gentleman, as it is uncertain what time will be occupied by the Naval and Military Estimates; but if those Estimates should happily be concluded by to-morrow night—and perhaps the House will be disposed to sit a little later than usual in order to get through—in that case I will make the financial statement on Monday.

PUBLIC HEALTH BILL.—QUESTION.

MR. T. DUNCOMBE said, he wished to inquire whether it is intended to proceed with this Bill without giving an opportunity of discussing it? The Bill had only been introduced on the 4th of July, and stood for a third reading that evening.

SIR GEORGE LEWIS said, the reason why the Bill had been pressed on was, he believed, because the Commission would expire on the 1st of August, and if it was to be renewed, the Bill must be passed at once.

MR. T. DUNCOMBE said, he thought a continuance Bill for one year would be sufficient; so that the subject might be discussed next year.

SUPPLY.

Order of the Day for going into Committee of Supply,

INDIA.—ORGANIZATION OF THE INDIAN ARMY.

REPORT OF COMMISSION. QUESTION.

MR. H. BAILLIE said, he wished to make a few observations in reference to the Report of the Commission appointed to inquire into the Military Organization of our Indian Empire. He was aware that Her Majesty's Ministers, having been but a short time in office, had not, perhaps, had leisure to consider the subject; but, inasmuch as this was a question which involved not only the efficiency of Her Majesty's army in India, but also the efficiency of Her Majesty's army in this country, it was a question which ought to receive the attention and most careful consideration of that House, and in the present state of political affairs a settlement of it ought not to be much longer delayed. Now, in the Report of this Commission the opinion was expressed—and he believed it to have been the unanimous opinion of all the Members of the Commission—that henceforth an army of not less than 80,000 men should be permanently maintained in our Indian empire. He knew not, of course, what might be the opinion of Her Majesty's Ministers on this subject, but it would be very easy for that House to vote that number of men, or any number of men, because the House would not be called upon to pay them; but it would not be so easy to raise the men, more especially in time of war; and he very much feared that the Commission, in coming to this conclusion, had been influenced rather by what they conceived to be the necessities of our Indian empire, without a just appreciation of the wants and necessities of this country; now, this last consideration, in his opinion, was of far greater importance to the people of this country than even the stability and the maintenance of our Indian empire. The noble Lord now at the head of the Government had always had great credit given to him by his friends for the efficient manner in which he was supposed to have conducted our military affairs during the late Russian war. He (Mr. Baillie) was always one of those who presumed very humbly to differ from that opinion; and he did so, because he was aware that during the whole course of that war, the army of this country never was in a state of efficiency, if to be in a state of efficiency was to have the whole number of men that were voted by Parliament. So far from that being the case, during the whole course of that war the army of this country was from 40,000 to 50,000 below the number voted by Parliament. It was on that account that they had been obliged to raise foreign legions. There was a foreign legion raised in Germany, and another in Switzerland, and another in Italy, and there was nothing which so much lowered the character and reputation of this country in the eyes of foreigners as this exhibition of our apparent weakness. Now, he did not make this statement for the purpose of casting any blame or censure upon the noble Lord now at the head of the Government. Far from it—he was persuaded that no man in England would have used greater endeavours to promote the efficiency of the army; but he made this statement in order to show the House the great difficulty in this country in raising men in time of war, and also to point out the impossibility of our maintaining an army of 80,000 men in India, should we be engaged in a foreign war. He also wished to show that the House was in the habit of voting money for men which the Government were utterly unable to raise. Now, let them just consider what was the state and condition of the army at the present time. Her Majesty's forces now in India amounted to about 85,000 men; a number which did not include those who were formerly in the service of the East India Company. Now observe, this force of 85,000 men was not much larger than the Commission proposed should be permanently maintained in our Indian empire. Let the House then see what had been the result during the last two years of their having maintained an army of 85,000 men in India as regarded the effect upon the Home Establishment. What had been the consequence, in spite of all the efforts made during the last two years? Why, the consequence had been that they had been unable to raise the number of men they wanted last year. The standard of the height of the men had been reduced to the lowest point, free kits had been given to the soldiers, and every inducement had been held out to enlistment; but in spite of all this, the army was 10,000 men below the number voted last year. But that was not all; the Government had been obliged to call out 23,000 militia to do the duty of the regular troops. Now, the militia was a force which ought to be their reserve in time of war; but they had been obliged to call the militia out in time of peace, and therefore, in point of fact, the army was really deficient 33,000 men, and not 10,000. His right hon. Friend the late Minister of War (General Peel) made a statement the other evening which had been very much cavilled at, but which was perfectly correct, as his statements always were; but on examining that statement, he did not think the House would think it quite so satisfactory as it appeared at first sight. In the first place, his right hon. Friend included among the 110,000 men he mentioned, the 23,000 militia to whom he had referred. Now, if they included their reserve in their efficient force, of course if they had a war they would have no reserve; and therefore he did not think the militia ought to be included in the regular forces of the country. His right hon. Friend had also included the depôts of the regiments that were in India. The men in these depôts consisted in a great part of raw recruits, and of men who were liable at any moment to be sent away from this country to join their regiments. They were a very large force, amounting in number to nearly 19,000 men, and they were all paid by the Indian Government. Now, it would be monstrous if that House was to regard the forces for which the Indian Government paid as among the available forces of this country. Well, then, deducting these 19,000 men, and deducting the militia, they would have to deduct upwards of 40,000 men from the numbers stated by his right hon. Friend, and that would leave only 70,000 men available; but then they must also deduct from those 70,000 men, the non-fighting corps. There were 1,800 men in the Waggon Train; there was the Medical Staff; and they must deduct the men who were not available when in hospital. In fact, he did not think it would be an unfair estimate when he said they must deduct 20 per cent from the force; and this would leave them with a force of somewhere about 58,000 men for the home service. Then, they would require for garrison of Ireland 25,000 men; so that for the defence of England and Scotland they would have an available force of somewhere about 40,000 men. Then they would have to place garrisons in all their arsenals. They might put militia in them; but they must have some regular troops; and when they had placed a sufficient number of men in Woolwich, Sheerness, Chatham, Dover, Portsmouth, and Devonport, he should like to know what would be the amount of force left available. He thought they would be fortunate if they could bring 25,000 men into the field. It was for the House to decide whether that was a force which, under existing circumstances, it was safe to depend on for the maintenance of the honour and safety of the country. He would not at the present time enter into the question of Indian finance, although were he to do so he did not think he should have much difficulty in proving that, if the Indian Government were compelled to maintain permanently 80,000 European troops in India, which would cost as much as 160,000 in England, and if in addition the Indian Government had to maintain a Native army of twice that amount, he did not think the Secretary of State for India, with all his great financial ability, would find it easy to make an even balance between the expenditure and the revenue. That, however, was a question into which, however important, he would not enter. The question which for us at the present moment was a far more serious one was, could we with our present system of voluntary enlistment raise and maintain so large an army in this country as would not only furnish permanently 80,000 men in India, but would provide for the wants and necessities of all our numerous colonies, and at the same time keep up such an army in this country, as would give some security to the people that their hearths would not be invaded, and that in the event of war that they would be able to maintain the honour and defend the interests of the nation. Now, they had learned by the papers laid upon the table of the House that Her Majesty's late Government announced to the Powers of Germany that in the event of their going to war to maintain their interests England would be neutral, and that even in case their ports were blockaded England would not interfere. He thought that was a very unwise declaration, but that declaration had been repeated by the present Government, and in diplomatic circles it was rumoured to have been repeated in language which had given much offence to the German Powers. The statement, however, had been made, and we must abide the consequences. And what were the consequences? That in the event of our having the misfortune to be engaged in war with any great Power—with France for example—we must expect to have intimated to us that the German Powers intended to remain neutral, and that they would take good care that no legions were raised in Germany for English purposes. Under these circumstances it behoved the House to consider well what would be our position if the intense desire which now prevailed, amongst all classes to maintain a cordial alliance with France should be misinterpreted by our vivacious neighbours, and, unfortunately producing a contrary effect, should end in a war. He was one of those who thought that in the event of hostilities, if all means failed of raising by voluntary enlistment a force sufficient to defend the honour and interests of the country, the person as well as the purse ought to be available for the public welfare; nor did he see that there would be any more infringement of popular liberty in the one case than in the other. He might be told that any such plan would be impracticable, and that no Minister would venture to make such a proposition; but at all events let not the House of Commons and the country be deluded by the mere passing of votes for numbers of men—as they did during the Crimean war—whom they knew by past experience they should never be able to raise—thus teaching the public to believe that we had a force sufficient for all the requirements of the State, when in point of fact it was a force efficient only on paper, and at a period of difficulty and danger would not be forthcoming for the public service. They had, as he had stated, been obliged in a time of peace to call out 25,000 militia, to do the duty of regular troops whom it had been found impossible to raise, and he feared that the desire for peace which appeared to prevail among all classes in this country was attributable, not so much to any abstract love of peace as to the conviction that the present system of our military administration would not enable us to contend successfully against those systems which had been devised and adopted in modern times by the other great nations of the world. He would on the present occasion abstain from expressing any opinion as to what ought to be the amount of the European force employed in India, and he would defer any explanation of his views upon that point until the subject was brought before the House by the Government. He might say, however, that in his opinion the European force requisite for India would depend entirely upon the manner in which the Government of that vast dependency was conducted. If officials in India were to be allowed to set Her Majesty's Proclamation systematically at defiance, as they seemed inclined to do, not only would a very large force be necessary for India, but he did not know what amount of force which could be sent to that country would enable us to maintain tranquillity in our Indian empire. In conclusion, he wished to know whether it was the intention of the Government to bring this subject under the consideration of the House previously to the prorogation of Parliament.

MR. W. VANSITTART said, that he could not agree with his hon. Friend that this country was unable to maintain 80,000 European troops in India. We had already 85,000 men there, independently of the 25,000 which were maintained by the old East India Company. He had read with much interest the Report of the Commissioners on this subject, which he ventured to say was second to none in importance not only as regarded the power and welfare of India, but of the whole British empire. Happily, the Commissioners were unanimous on one point — namely, that India would require the presence of a large European force, not less than 80,000 men; 50,000 for Bengal, including the Punjab, and 15,000 for each of the minor Presidencies of Madras and Bombay. But there was a great diversity of opinion as to whether this force should be a local force, or whether it should form an integral portion of the British army, to be supplied in regular routine from the line. On carefully going through the evidence submitted to the Commissioners, he was of opinion that the force should be composed partly of troops of the line, taking India as part of the regular tour of service, and partly of troops raised for service in India only. There was no doubt that any one who had been in India could not fail to have been struck with the appearance of a line regiment recently arrived from England as contrasted with a local regiment. Both officers and men were better set up, smarter looking, and there must necessarily be a greater amount of vigour and fresh European notions and feelings, and consequently discipline, than in a local regiment, the officers and men of which lived on year after year in India with no prospect of revisiting their native country until they were completely worn out by the climate, sickness, or age. He was aware that symptoms of disaffection had appeared among the late East India Company's or local Europeans stationed at Meerut, Allahabad, Berhampore, and elsewhere; but it arose solely from the men understanding the noble Lord at the head of Her Majesty's Government to have said in his speech, in introducing his India Bill, on the 12th of February of last year, that their services were optional, and that if they objected to the change they were entitled to their discharge. As what the noble Viscount did say was very short, he would, with the permission of the House, read it. The noble Viscount, in speaking of the army, said,—

> "With regard to Queen's troops no change will be made. With regard to the others, they will be transferred to the Crown from the service of the Company, subject to the same conditions of service as those under which they were enlisted; and, if they dislike that change, I think, in common justice, they will be entitled to their discharge." [3 *Hansard*, cxlviii. 1287.]

On this speech reaching Calcutta a pettifogging attorney, a sort of "needy knife-grinder," took down these words and sent them up to Meerut, and they were freely discussed and as freely commented upon by the men. He thought at the time that the noble Lord was rather indiscreet; but it would have been unbecoming in so humble an individual as himself to correct the noble Lord. In regard to the recruiting of this force he (Mr. Vansittart) did not anticipate any difficulty, for it could be effected partly by volunteers from line regiments ordered home, as at present, and partly by recruiting separately for it in Great Britain. He thought the patronage might be placed at the disposal of the Horse Guards, because it would establish that prestige which was so dear to Englishmen, of bearing Her Majesty's commission direct from Her Majesty's Royal hands. This surely would be preferable to handing it over to the Secretary of State for India and his Council, to be distributed among his constituents, and among the relatives and friends of the councillors, who were already sufficiently well paid and by no means overworked. In regard to the Native portion of the army, he would reduce the proportion even below that recommended by the Commissioners of "two Natives to one European." He would make the proportion three Natives to two Europeans; and this would give us an army of 200,000 men for all India, consisting of 80,000 Europeans, and 120,000 Natives. Such was his opinion of the Sepoys that he was anxious to reduce that part of the army as much as practicable, and he was satisfied this force of 200,000 men would be amply sufficient to meet all requirements, and prove an economical measure; more especially if they carried out Sir Charles Trevelyan's suggestion to transfer some of the duties now performed by the military to a police. The police should be a civil force, localized and commanded by a European for each district; a portion of the men should be armed, not with the Minie or Enfield rifle, but with the common percussion musket, and to those who were thus armed should be intrusted the duties of escorting treasure from district to district, of supplying guards for the gaols, and so forth. Sir Charles Trevelyan also recommended that the magazines should be deposited in places held by Europeans; that there should be as few detached posts as possible; and that at all the stations there should be a sort of fortification, within which the treasury, the military chest, the records, the stores, the magazines, women, and children might be placed. Now that the whole country was being disarmed, railways were being so rapidly constructed, and the annexation policy had been so fully carried out, there was every prospect of India enjoying a long period of repose and peace, and it was in such times as these that a Sepoy army was found to be not only worse than useless, but costly and troublesome. Well armed, well trained, and with nothing to do, they were left to brood in stagnation and listlessness in cantonments over imaginary fears, which probably terminated either in their taking fright, or rushing once more, under the impulse of panic, into mutiny and murder, spreading ruin and desolation over the beautiful plains of Hindostan, and burning and massacring everything and everybody who fell in their way, without respect to sex or age; or else they had to be watched and guarded by our European troops. Under all these circumstances, he thought his hon. Friend had done well in bringing this important subject before the House; and it was to be hoped that the Secretary of State for India would give an assurance that he would take it into his earliest consideration.

SIR CHARLES WOOD said, that as he supposed it was the wish of the House to proceed with the business on the paper as speedily as possible, he would not follow the two hon. Gentlemen through many of the topics on which they had touched. He freely acknowledged the intimate connection between Indian finance and the all-important question of the amount of military force which it was necessary to maintain in India. No doubt the strength of that force would require to be indefinitely increased if the Government of that country were to be conducted without regard to the feelings and sentiments of its people; but if India were governed properly, he believed the amount of European and Native troops which it would be requisite to keep up would not exceed that which the resources of the country could easily bear. With regard to the Report of the Commission on the organization of the Indian army, the present Government had hardly had sufficient time yet to consider that question. Indeed, looking at the importance and difficulty of this subject, he was not surprised that the noble Lord who preceded him in his present office, with all his diligence and power of work, had not been able to bring into a more forward state the measures which were necessary on this subject. The question really required the greatest attention and care, nor could it be decided without information which was not enjoyed here. Opinions formed on the spot on such a matter must obviously be far more valuable than any that could be formed in this country. Moreover, events might at any time happen in India which would materially affect this question. While, as the hon. Gentleman had admitted, he had hardly had time since he acceded to office even to read all the papers relating to this subject, he could assure him that it would receive from him the most careful and impartial consideration, with a view to its being decided at the earliest practicable period; but he was wholly unable to mention the precise time when he would be able to make the statement required of him.

GENERAL PEEL said, that although his hon. Friend (Mr. H. Baillie) had concluded his remarks by asking a question of the Government, he had referred to a speech made by him in that House on a former occasion. As there ought to be no mistake as to the amount of force in this country and in India he was glad to avail himself of the present opportunity of entering into a short explanation, and of answering a letter which he had seen in that day's papers, which was written in so different a spirit from that which characterized many previous letters in the same journal, and which, though anonymous, were supposed to come from a source tolerably well-known, that he had the greatest possible pleasure in replying to it. The letter in question stated that he had made a great mistake in the statement he had made, and must have quoted from a return made at the War Office by clerks who did not know their business, and who had taken the number of men voted by Parliament instead of the number of men actually in this country. He begged to say that he had done no such thing. The document he had quoted from was the monthly returns made by the Horse Guards to the War Office, signed by the Adjutant General of the Forces, who was responsible for the accuracy of the figures. He had explained to the House the condition of the British army on the 1st of June, 1859, and had read the line giving the total force at home. The only inaccuracy in the report of what he had said on a former evening was that he was represented as saying that he did not include the depôts of regiments in India, whereas he had said nothing about them. What he said was that the numbers he had read did not include the Marines (one of the finest forces in the country), the pensioners, or the Irish constabulary. The return gave not only the exact number of men in the regiments, but also in the depôts, and told where they were stationed. The number of men voted by Parliament last Session was, for the British establishment, 122,655; and for the Indian establishment, 106,902; making a total of 229,557. The number absolutely raised was 219,912. They were now distributed thus:—In India, 85,219; and there were ordered home, or on their return passage, 5,725. The latter were still on the Indian establishment and paid for by that establishment. There was at home, on the British establishment, 64,653; depôts of regiments on the Indian establishment, 21,769; and in the Colonies, 42,546; making up the total already mentioned as having been actually raised and receiving pay, namely, 219,912. It was impossible, in considering the strength of the regiments, to leave the depôts out of consideration. The regiments coming home from India, the instant they arrived were transferred with their depôts to the British establishment, and were available for any purpose for which they might be called upon to give their service. Take the case of a single regiment, the 36th. The depôt consisted of 656 men. This regiment was on its way home, and would be transferred with its depôt from the Indian to the British establishment. So far from having overstated the number of men available for home service, he did not include in his statement the depôt at Warley for the local force of India; these, being maintained at the expense of the Indian Government, were not included in the return from the Horse Guards. His hon. Friend had ommitted altogether, for cases of emergency, the embodied militia. No force in the British army at this moment was in a greater state of efficiency than the embodied militia. It had now been out two years, and it was impossible to make it more efficient. So, again, there were the pensioners, who would be of the greatest possible use in doing garrison duty in the event of our being attacked. He trusted the House would see that he had not overstated the case. He did not say that our force was sufficient for this country. That was a question to be determined in relation to what was passing at the time, and it now rested with Her Majesty's present Government. He held that, during the period they had been in office, the late Government had maintained in this country the largest force which it was their duty to call upon the public to pay for. He did not say that circumstances had not arisen making it expedient to increase the number of our troops, but while they were in office no such step was advisable. He thought it very undesirable to add to the number of regiments in the British establishment, involving, as it would do, the throwing of a burden on the country for half-pay. The number of regiments of the line was 131 battalions. Supposing fifty battalions were required for service in India, they must have twenty-five additional battalions in this country to form a relief for them. So, again, if they required forty-two battalions for the colonies, they wanted about twenty more at home for their relief. To have a sufficient number of regiments of the line to do duty in the Colonies and in India we did not need more than fifty battalions to be kept in England. It would therefore be very unwise to add to that number. He believed that his right hon. successor took the same view as to the number of regiments, and was not in favour of either increasing or diminishing the number of British regiments which existed when the seals of the War Office were handed over to him. The number of the embodied militia is 23,000.

COLONEL HERBERT said, the number given for the home forces included the officers, sergeants, and drummers, whereas it was supposed to represent only rank and file. If a deduction were made on that account from the number stated, it would leave only 96,517 men, which was a material difference from the figures stated by the right hon. and gallant General. But they ought to speak of efficient serviceable men; and therefore, if they made account of sick men, men waiting for their discharge, and also recruits, whether instructed or uninstructed, and the recruiting staff, the deduction, according to good authority, on that ground would be 20 per cent from the 96,517 men. The embodied militia of 25,000 men were to serve as a reserve; and he did not think it satisfactory that the available forces of the country were at so low an ebb. But it must be admitted, while the numbers given by the gallant Officer might be true, they were calculated to lead to misapprehension. In the same way, when our forces were in the Crimea, it was stated by the Chancellor of the Exchequer that at a particular time they amounted to 27,000 or 28,000 men. This statement was scouted by the public, and it was stated by a correspondent of a public journal that Lord Raglan's army did not contain more than 12,000 available men. Both statements were true; but the latter included only the efficient serviceable men, rank and file, who were fit for duty. The other number was the gross number of men of all ranks; and that was, no doubt, the case also with the numbers given by the hon. and gallant Officer. Statements of gross totals such as those made by the right hon. General the late Secretary of War were likely to lead to misapprehension in the public mind, because they always included a large number of men not available for service in the field.

General Peel

LORD STANLEY said, that the subject of the organization of the Indian army was not one which could be properly discussed in a desultory conversation like the present; but as the question had been raised he wished to vindicate the Commissioners from the imputation of having fixed an arbitrary number for the European troops in India. That was a matter which obviously must depend upon both financial and political considerations, and the Commissioners carefully abstained from expressing a decided opinion on the subject, although they went the length of saying that the amount of European troops to be hereafter maintained in India should be greater than it was before the mutiny. He did not attach much importance to conjectural estimates in such a case; and the same observation applied to the proportion to be maintained between the European and Native forces. The solution of those questions would depend in some measure upon the success of the working of the military police now established on so large a scale in various parts in India, and he did not believe that either here or in Calcutta the Government could pronounce an accurate opinion upon them until they had seen how the police system worked over a considerable period of time. Upon only one point could he venture to record his opinion, and that was the question whether the European force in India should be a local force, or a part of the general army of the line. He believed that it was a matter not only of expediency, but almost of necessity, in the carrying on of the Indian Administration, that a considerable portion of the European army in India should remain as at present a local force. He should defend that view upon the ground of economy, because the expense of relief and transport would be saved; he should defend it also upon the ground of efficiency, because by that means we should have soldiers acclimatized and familiar with the country, for it was well known that a large proportion of the mortality occurred in regiments newly arrived; and finally, he should support it on account of the local administration, because we could not expect officers of the line, who in India were mere birds of passage, to qualify themselves for Indian service in the same manner as those did to whom India was a home for life. He did not indeed know how the civil and military administration of India was to be carried on if we deprived the Governor-General of the assistance which he now derived from the presence of some thousands of educated Englishmen, who knew the Natives and their language, and who intended to remain in the country for the working part of their lives. He trusted that the House would think he was using a wise discretion in declining to enter at the present moment into the other important questions raised by the Report of the Commissioners.

COLONEL SYKES thought it was no object of the House to raise any discussion now on the Indian army, but only to elicit an assurance from the Government that the subject would be brought before the House. Such an assurance he received in February last, and he was perfectly satisfied that the assurance would be fulfilled. When it was so brought he would gladly state the result of his experience and in the meanwhile he would merely make one remark upon the amount of the military force to be maintained in India. He quite agreed that the number of European troops must depend upon the manner in which we governed India, and the manner in which the people were satisfied with our government. Before the mutiny broke out we had 45,000 European troops there, and the revenues of India were barely sufficient to pay that number. What would the House say to the payment of 131,000 European troops including the 20,000 at the depôts in England? He was convinced that it was utterly impossible for the revenues of India to pay for more than 50,000 European troops, and he entreated the House to consider this well before they sanctioned the continued employment in India of such an overwhelming and unnecessary force. He was satisfied that 50,000 European soldiers would be quite sufficient for carrying on good government and ensuring the safety of the country.

SIR DE LACY EVANS said, he fully concurred with the noble Lord (Lord Stanley) that it was indispensable to have a considerable local European force in India—especially of artillery — as it was most necessary that the army should become accustomed to the feelings and habits of the Natives.

SIR EDWARD COLEBROOKE expressed a hope that no action would be taken by the Government on the Report of the Commissioners without the House being afforded an opportunity of discussing the whole subject, inasmuch as no decision at which they might arrive would otherwise be likely to give satisfaction. He did not think that it would be found so difficult to maintain an army of 80,000 Europeans in India, but at the same time he thought great danger might result from maintaining too large an European army there, because the Government of this country, in case of an European war, might be led to withdraw a portion of the forces, and thus leave the country insufficiently protected.

THE SALE OF SLAVES.

OBSERVATIONS.

MR. DARBY GRIFFITH rose to call the attention of the House to the case of "Santos *v.* Illidge and Others," and to ask the Secretary of State for Foreign Affairs whether he thought that the 5th and 6th clauses of the Act 6 & 7 *Vict.*, c. 98, authorizing the sale of Slaves by British Joint-Stock Companies, should be repealed. He said it was generally presumed that by the operation of the Acts of 1824 and 1833, the question of slavery, as regarded traffic in the sale and purchase of slaves by British subjects, had been completely put an end to. But in 1843 an Act, 6 & 7 *Vict.*, c. 98, entituled "An Act for the more effectual suppression of the Slave Trade," was passed; and, in the course of the passage of that Bill through the House of Commons, two clauses were introduced which had tended in some degree to abrogate the provisions of the great Act of slave emancipation. The sixth section provided that "nothing in the Act contained should be held subject to any penalty, punishment, or forfeiture, any person transferring or receiving any share in any joint-stock company established before the passing of the Act in respect of any slaves in the possession of such company." A company had been established before the passing of the Act for the working of mines in Brazil. They worked those mines in the usual way, namely, by slave labour, and an order had lately been made for winding up the company. The Lords Justices, before whom the question was brought by way of appeal, decided that their property in slaves, as well as in other matters, might be realized for the benefit of the company, and an order was accordingly issued to that effect. The law officers of the Crown, however, subsequently gave it as their opinion that this decision was not in accordance with the terms of the Act of 1843, and that though the slaves, who had been in the possession of the company at a period anterior to that date, might be disposed of, the children born of those slaves subsequently, could not be sold. The directors, feeling dissatisfied with these conflicting opinions, referred the matter to a court of law, and the Court of Common Pleas decided the other day that the case of these slaves did not come within the exceptional clauses of the Act of 1824, and that the possession of these slaves by the company had been illegal *ab initio* under that Act; and thus, as it were by a side blow, the sale of these slaves had been nullified altogether. The hon. Member contended that when three such totally opposite decisions had been given within a limited period, the case was one that ought legitimately to come under the consideration of Parliament. He did not expect the noble Lord at the head of the Foreign Department to be prepared to give a positive pledge, at this moment, to deal with the existing law; but he hoped that it would be one that might attract his attention.

Lord JOHN RUSSELL, in reply to the question of the hon. Member for Devizes, whether he thought the 5th and 6th clauses of the Act 6 & 7 *Vict.*, c. 98, authorizing the sale of slaves by British joint-stock companies, should be repealed, stated that there was no intention at present to bring in any measure for the repeal of the law.

LAND TRANSPORT CORPS.

QUESTION.

Lord ADOLPHUS VANE-TEMPEST, in rising to ask the Question of which he had given notice, respecting the claims to half-pay of certain officers of the Land Transport Corps, expressed his acknowledgments both to the gallant General lately at the head of the War Department, and to the right hon. Gentleman now occupying that post, for the courtesy which he had invariably experienced in his applications on this subject. The Secretary of State for War, he perceived, was absent, but possibly some Gentleman on the Treasury bench would be able to furnish him with the information he desired, namely, whether any, and if so what, decision had been come to by the Treasury on the subject of carrying out the recommendations of the Committee of last Session on the claims of the Land Transport Corps, with reference to granting permanent half-pay to that class of officers who entered the corps from the militia and civil employ.

Mr. LAING stated that the Treasury entertained no objection to the recommendations of the Select Committee being carried out, providing that the Secretary of State for War was favourable to such a course.

DOVOR MAIL CONTRACT.

QUESTION. OBSERVATIONS.

Mr. RICH said, he had given a notice on Monday night that he should move the postponement of any Vote which would have the effect of giving a Parliamentary affirmation to the contract which had been entered into on the 26th of April with regard to the transmission of mails from Dovor. By some accident the Notice which he had given did not appear upon the paper; but he wished to ask his noble Friend the Secretary to the Admiralty whether, considering that the question of the Dovor contract had already been made the subject of discussion in that House, and bearing in mind the fact that it was included in the scope of the reference to the Select Committee—which, he might observe, he could have wished had been composed of persons who would be more disposed to go independently into the matter;—remembering, moreover, that in consequence of a paragraph in the Dovor election petition, the whole question of this contract would have to be examined into upon oath—he put it to his noble Friend whether he did not think that a discussion with reference to the fulfilment of such contract would be premature. He trusted therefore that no such Vote would be proposed to-night, nor indeed at all at present. In the event of its being understood that no such Vote would be gone into, he was quite satisfied to let the matter rest for the present; but it would otherwise be his duty to enter into a full statement of what appeared to him to be the merits and demerits of that contract.

Sir HENRY WILLOUGHBY expressed a hope that the Navy Estimates might in future be introduced in a more intelligible form. In Votes 8, 9, and 10, involving an expenditure of £3,247,000, the items were lumped together in large sums which made it impossible to know how the money was really expended, and which were made ridiculous by the introduction, at intervals, of precise expenditure on such an insignificant object as a mud-punt. The country would have no objection to pay whatever amount was requisite for the maintenance of an efficient fleet—but it expected that intelligible accounts should be given of the outlay—as there was an impression abroad that the money was not properly, or at least not judiciously, applied.

Sir JOHN PAKINGTON in reference to the Question of the hon. Member for Richmond (Mr. Rich) begged to state on the part of the late Administration, that it was a matter of indifference whether the consideration of the Dovor contract was entered into then or at a later period. His Friend the late Secretary to the Admiralty was prevented, he was sorry to say by indisposition, from attending; but the hon. Member for Tewkesbury (Mr. Lygon), in whose department this matter lay, and the late Under Secretary to the Treasury, who were both congnizant of the details of the question, were in their places, and were prepared to give the fullest explanation either to the House or, if so desired, to the Members of the Select Committee. He had no doubt they would be able to establish that this contract had been entered into purely with a regard to the advantage of the public, and in accordance with the practice which had always hitherto been observed.

Lord CLARENCE PAGET said, it was the intention of the Government to move the packet Vote, and it would then be open to any hon. Gentleman to move that the whole of that Vote, or any portion of it, should be struck out. He must say he thought that would be the proper course; and he thought it would be better that the right hon. Gentleman should reserve any observations with that object till the House was in Committee. In reply to the hon. Baronet opposite (Sir Henry Willoughby) he might state that Vote No. 9, which had been alluded to, referred merely to the wages of artificers abroad, as to which he did not think there would be any question. With reference to the others he would say that it was the earnest desire of the present Board of Admiralty to give every information in their power, and in particular to go very narrowly into the question of shipbuilding. He thought he had already given an earnest of his intention in that respect by laying before the House a statement of the tonnage built in each year. The hon. Baronet would see that this had enabled him to enter more largely into this expenditure than he had yet been able to do; and he should be very glad, if the present Government remained in office till next year, that something could be done to render the Estimates even more distinct than they were at present. It was the wish of the Board of Admiralty to make everything as full and intelligible as possible.

Sir FRANCIS BARING, said, he had the himself more than once pressed upon noble Lord the propriety of postponing that part of the packet Vote which related to the contract at Dovor. There had been a Committee appointed to consider the whole question of postal contracts, including that recently made at Dovor. He would not say whether there were any grounds for the rumours that were afloat, but there certainly was an idea prevalent that the contract required looking into. He would urge upon his noble Friend that the House should not be called upon, by voting money, to give a sanction to that contract before the Committee recently appointed had reported.

Mr. WHITBREAD said, that as the contract had been signed, he thought there would be a legal claim upon the Government. However, as it seemed to be the wish of the House that this portion of the Vote should be omitted, they would offer no opposition to the postponement.

Mr. LYGON remarked, that certain words were introduced into the contract signed on the 6th of April for Dovor, as had been done also in the case of Galway, providing that the contractors should be paid out of money to be voted by Parliament; thus, in fact, rendering the contract subject to ratification by the House.

Mr. ROEBUCK wished again to warn the House of the danger into which they were likely to fall. Upon the other side of the Atlantic there was a Congress, and also a place called a "Lobby," and all transactions concluded in the Congress were first decided in the "Lobby." If they introduced into that House the principle of canvassing every act of the Government, not merely as to their responsibility, but deciding upon the actual contracts themselves, they would soon bring in a "Lobby," here, and all the chicanery and corruption that now distinguished the "Lobby" of Congress. Even upon the present occasion he was told that the objections to the particular contracts were by persons who expected to derive a benefit if those contracts were broken; that there were hon. Gentlemen in that House who were directors of the company which was calling upon the House to dispute those contracts.

Mr. WILSON explained, in reference to the statement of the hon. Member for Tewkesbury (Mr. Lygon), that the stipulation that the contracts should be paid out of money voted by Parliament was not new. Why, from what fund could they be paid, except money voted by Parliament? The words said to be a new introduction, and to involve a new principle of Parliamentary revision, had been in use, at all events, since 1854, and were mere surplusage, because the contracts could not be paid out of money unless it was money voted by Parliament. He did not object to the use of the words, but they should not be set up as proof of extraordinary vigilance. If the words had been "subject to the approval of Parliament" the case would have been very different.

Motion *agreed to.*

SUPPLY.—NAVY ESTIMATES.

House in Committee.

Mr. Massey in the Chair.

(In the Committee.)

(1.) £368,311, Reserved Half-pay, and Retirement to Officers of the Navy and Marines,

Mr. LINDSAY pointed out the enormous number of officers on the active retired list. Out of 100 Admirals on that list there were 39 between 70 and 87 years of age. Why, he asked, should they continue to be rated as active? In like manner there were 315 Captains on the active list, of whom 41 were above 60, whilst only 90 were in active service. A similar proportion held good of the Commanders' list. So that we were retaining upon the active list a number of gentlemen who were not active or fit for service, and who themselves felt that they were not fit for service. Again, out of 2000 officers on the active list 214 were between the ages of 60 and 85, although, curious to say, upon the retired list there were not less than 290 below the age of 60. Now, the retired and reserved list was in a most unsatisfactory state. It cost the country upwards of £700,000 a year; and if it were unsatisfactory to the country it was not less so to the officers themselves—for they could not obtain active employment in consequence of their number being so great, and not obtaining active employment of course they could not get promotion. He knew that it was utterly impossible to employ them all in time of peace, and that it was necessary to retain a very large number to meet the exigencies of war; yet it happened that if we were now to engage in war we should be very far short of the number of officers requisite to man our ships. What he wished to impress upon the country was that there must be a complete change in the whole system; but to maintain sufficient officers for the emergency of war would increase the half-pay list to a still greater amount than its present cost; consequently we ought to look to some other source. Now, in the merchant service, and especially on board those magnificent steam-ships which belonged to the great navigation companies, there were a large number of active and intelligent officers. Since the passing of the Mercantile Marine Act those officers had been obliged to undergo an examination before public Boards with regard to their acquirements in seamanship and navigation quite as strict as that to which officers in the navy were subjected. And he thought that, by adding to that course of examination a further examination in gunnery, officers in the merchant service might make a very efficient body of men, who would be ready, willing, and able to serve the country in the hour of need. If ultimately it should be determined to form a reserve of merchant seamen these officers might be called out with them, and having undergone a month's drill annually with the men he had no doubt they would be found as valuable in fighting our ships as the permanent officers of the navy. The effect of such a measure would be that we should encounter no difficulty in finding reserves; we might reduce the number of naval officers, give them more employment, and at the same time diminish that heavy amount of taxation which we were annually called upon to vote for the half-pay list.

Mr. W. WILLIAMS said, that some of the lower grades of officers in the navy were in a very unsatisfactory state, the late First Lord having stated that mates and midshipmen were 400 short of the required number. On the other hand, there was quite a redundancy of Admirals. We had not less than 341 Admirals, of whom only eleven were employed in the fleet and three in the dockyards, making together fourteen. In his opinion the system of increasing the number of Admirals, which had been going on so long, ought to receive a check. It did not look well, to say the least of it, to have thirty times as many Admirals as were wanted, whilst they were short of the younger officers, whose services were so essential to the manning of the fleet.

SIR CHARLES NAPIER said, it could not be wondered at if, after a war of nearly forty years, the list of Admirals was very large. In fact, it could not be helped, though he admitted that the promotions had been too extensive. The reason of the list being in its present state was that successive Lords of the Admiralty had failed to carry out the intentions of Lord Melville. From 1815 to 1830 Lord Melville allowed the promotion to go on just in the same way as in time of war. It was evident, therefore, that there could have been no reduction in the list, and men did not die off so fast during peace as during war. But in 1830 Lord Melville, seeing the error he had committed in making promotions on that scale, issued a Minute of the Admiralty restricting promotions to one in three. From 1830 to 1846, a period of sixteen years, there were various First Lords of the Admiralty, and one succeeded another with tolerable rapidity. The consequence was that the Minute of Lord Melville was ignored. From February, 1830 to September, 1846, 245 flag officers and 316 captains died; and there were altogether 909 removals from the list by death and promotion; but whilst, according to Lord Melville's Minute, the promotions ought to have been only one in three; instead of one promotion in three, almost as many were promoted as were removed. The case was just the same with the commanders and lieutenants. But the lists of admirals, captains, commanders, and lieutenants were now fixed, and that not too high, and he believed that in a short time they would be all reduced to a proper level. The evils of the system of promotion, from the age of the officers, became very great, and he suggested to the late Sir Robert Peel, who was then in office, a plan for removing a certain number of officers from the top of the list with their own consent. Some years afterwards Sir Robert Peel consented to give a retirement to a certain number of captains, who were allowed to take the rank of admirals at 60 years of age, and if that arrangement had not been interfered with the list would not have been in its present state. But succeeding Lords of the Admiralty had allowed junior officers to retire, and so the alteration had failed of its intention. They could not prevent officers from getting old and he was not prepared to deal with them in such a way as that they should feel hurt and degraded. If the list were only allowed to remain undisturbed it would be easily ascertained from an actuary within what period that list would be exhausted. With regard to the recommendation of the hon. Member for Sunderland (Mr. Lindsay) as to employing officers from the merchant service, that would never do. Their education, their manners, and the way in which they had been brought up quite unfitted them for the navy. He admitted that in the event of war, if we had not a sufficient number of officers, it would be absolutely necessary to draw upon the merchant service for a supply, with the understanding, however, that they were only taken up temporarily, though in cases where they distinguished themselves it should be open to them to remain in the navy.

SIR JOHN PAKINGTON said, he thought it would be admitted by every one that the Question which had been touched upon by the Members who had spoken since this Vote was put into the hands of the Chairman was one of the most important and difficult connected with the whole question of the efficiency of the naval service: and he could not allow the Vote to pass without expressing his anxious hope that the new Board of Admiralty would take into their consideration the present stagnation of promotion in the naval service, and that they will deal boldly and courageously with the subject. He thought he might venture to say that his eighteen months' experience in office had shown him that it was absolutely essential to the maintenance of efficiency in the Royal Navy that some measure comprising a comprehensive plan of retirement should be carried; but he had also seen enough to be satisfied that nothing could be done unless the Minister who attempted to deal with the subject was prepared to approach it in a bold and determined spirit, not to be deterred by slight difficulties from effecting his purpose. The hon. and gallant Admiral the Member for Southwark (Sir Charles Napier) on a previous occasion had adverted in unfavourable terms to a plan he (Sir John Pakington) had conceived, while he was at the head of the Admiralty, for correcting the existing state of things. He thought he had good reason to complain that the gallant Admiral had chosen to make a paper, which in no sense had ever been made a public document, the subject of public comment. Those who heard that comment had never seen the paper, and were therefore quite unable to form any opinion as to the fairness or propriety of the hon. and gallant Admiral's remarks. Late in the evening the hon. Member for Sunderland (Mr. Lindsay) expressed a hope that I would take an opportunity of explaining what my plan of retirement was. Now, while he thought it would be very inconvenient that he should enter into details connected with a paper which had not been made public, and which therefore he could scarcely hope to make intelligible to hon. Members, he had nevertheless no objection to state that the principle of the plan he had prepared was this—that retirement should take place at a given age (not necessarily always at the same age), applicable to all ranks in the naval service, and at which officers would be compelled to retire, receiving as compensation for that compulsory retirement a step in rank and an amount of half-pay commensurate with the length of actual service they had given to the country. Then that there should be another age (of course some years younger than that fixed for the compulsory retirement) at which officers should be permitted to retire voluntarily with the same advantages. He would not further enter into the details of his plan. It was perfectly true that although he had never made this plan in any sense public, he had shown it to a very considerable number of officers with the view of ascertaining their opinions upon the matter. Among others he had shown it to the hon. and gallant Admiral himself. The hon. and gallant Admiral seemed to entertain a notion that the plan would bear hardly upon officers of his own rank. He would however say, that either in public or in private he (Sir John Pakington) was prepared to contend that there was nothing in his plan of retirement of which officers of the high and distinguished rank of Sir Charles Napier would have the least reason to complain. It was a difficult task to devise a new plan of retirement for the purpose of remedying the great evils that now pressed so heavily upon the navy; and he admitted that any one undertaking that task would fail in his duty if he did not show the utmost respect and the utmost possible regard to the high claims of such men as the gallant Admiral and others who had risen to their high position by their great services, by their gallantry, and a long and successful career in a noble profession. But, on the other hand, he felt with equal force, and he was glad to have that opportunity of stating it, that any man who volunteered to undertake that difficult task would fail in his duty equally if he limited his regard to those officers who had risen to high stations in the navy. The poor lieutenant was as much entitled to consideration as the Admiral; and he begged to state to the House that while he was at the Admiralty nothing was more painful to him than the cases that had come crowding before him of men who had served their country well, but who had failed in the difficult race for promotion merely from want of "interest." It was too true, and he must repeat it, that they failed only from want of interest—from want of that mode of getting advancement which everybody knew was necessary. In saying this, however, he did not impute blame to any one. Everybody knew the difficulties with which a Government was surrounded; they were compelled to make selections from large bodies of men, and let them make those selections ever so honestly there must remain a large residuum unemployed and unpromoted. At this moment there were cases of men who had been lieutenants for years and years, until they had become old men, and who were now struggling to maintain themselves as officers and gentlemen upon pittances wholly inadequate. No man could hold the position he had held, as First Lord of the Admiralty, without having his feelings continually wounded by the sight of numberless such cases—they came crowding upon him. And he did think—and he said it with no disrespect—that it behoved men like the gallant Admiral, who had been more fortunate, who had risen to great distinction and obtained high positions, not to stand out with too much of punctilio about their own position, but to show some consideration towards their less fortunate brother officers, and be willing to make some sacrifices in order to relieve such men from the great difficulties and privations they had been for so long a time suffering. The plan of retirement he proposed had been so far developed that he had consulted his colleagues in the Cabinet concerning it; and it was most cordially and thoroughly adopted by them; and if he had remained at the Admiralty he would have exerted himself to the utmost to carry it into operation—of course with such modifications as fairness might suggest. Its details throughout were prepared with the most anxious desire on his part to avoid its bearing hardly upon any class of officers. But the gallant Admiral had said on a previous occasion that it was strongly opposed by many distinguished officers in the service, and further that the naval officers of his (Sir John Pakington's) own Board were also opposed to it. [Sir CHARLES NAPIER: Hear, hear!] He thought this was a very strong statement, and one that could not be passed without notice. But he would tell the hon. and gallant Admiral that so far as he knew, disapprobation of that plan was confined mainly—he would not say exclusively—to a very small number of officers at the head of the list—of the gallant Admiral's own rank—who took a view of the plan which he thought was a very mistaken one, and one that he deeply regretted to find was entertained. True it was that the professional members of the Board of Admiralty were divided upon the subject; but it was equally true that he did not limit his inquiries for opinions respecting it, either to the members of his own Board or to the distinguished men who stood at the head of the navy. He had consulted officers of all ranks, without knowing their previous bias, and solely regarding their competency to give a disinterested and a fair opinion upon the subject; and an overwhelming majority were most cordial and decided in their approbation, and he had received most urgent communications from naval officers of all ranks and in all directions, expressing their approval of the scheme, and their hopes that he would carry out the plan to a successful issue. As a proof that it was necessary to agree upon some alteration of the existing system he would mention that during the first twelve months, from April, 1858, to April, 1859, that he had held office, he was able to promote only five lieutenants to be commanders, and two commanders to be post captains. He excepted extraordinary cases of promotion in consequence of transactions in China, because they had nothing to do with the general accuracy of the statement he had made as to the very limited amount of ordinary promotion which occurred between April 1858, and April 1859. Was it to be supposed that in a great profession like the navy satisfaction or contentment could exist under such a system of stagnation? Was it likely that officers could be obtained of the right age, active and willing to perform their duties, if such stagnation in the system of promotion were allowed to continue? The gallant Admiral had alluded to the army, and had said that no evils of the kind existed there—that the general officers were not asked to retire at a certain age for the purpose of providing room for promotion for their younger brethren. But in using that argument the hon. and gallant Member clearly lost sight of the fact that the two professions were governed upon totally different principles. The General remaining in the army did not stop promotion; but the Admiral remaining in the navy did stop promotion. Every year there were numbers—he might without exaggeration say hundreds—of officers who left the army by sale of their commissions. Who left the navy? Nobody. Year after year young gentlemen were constantly pouring in; hitherto perhaps not to a sufficient extent, for he believed it was true, as had been stated, that the number of entries was so restricted that Her Majesty's ships in commission were short some 300 or 400 of the junior rank of officers. But while pouring in these young men at the bottom who was going out at the top? Nobody. The gallant Admiral (Sir Charles Napier) had talked about those of his own rank growing old. It really seemed as if our Admirals were immortal; they seemed to be always growing old, and never to get so, for such was their tenacity of life it really would appear that unless they happened to get knocked off by a cannon ball, they were exempted from the payment of that debt of nature to which it was the general belief that we were all liable. He hoped that the worthy Admiral would long enjoy his apparent exemption; but in any profession, if new members were constantly pouring in at the bottom, and none going out at the top, it could not be matter of surprise if stagnation were to result. That stagnation existed in the navy; and it certainly embarrassed, and he might almost say endangered, the naval service. Successive Boards of Admiralty, attempting to reduce the evil, had adopted new retiring lists until the alphabet itself was exhausted in supplying distinguishing initials. But those lists only relieved the system temporarily; in a few years it was again choked up; and it was impossible to devise any remedy that would prove effectual and lasting, unless it were made self-acting, clearing the way at the top as fresh blood was poured in at the bottom. By this means we should always have a due succession of officers who would not be discouraged by want of promotion, and who would reach the different branches of the navy at that time of life when they could do good service to their country. It was his anxious wish, by the adoption of a simple mode of retirement, with a fair compensation for the disadvantages it created, to afford a permanent remedy for the existing state of things. He hoped he should have been able to carry out his plan of retirement before he left office, because he believed the leading principles of that plan to be perfectly fair and sound, and that it would have effected the desired object. He had, however, left it to his successor. It was now in the hands of the Duke of Somerset, and he had implored the noble Duke to consider it impartially—not to view it as a question between one Admiralty Board and another, but as one deeply affecting the welfare of the British Navy. He should be glad to hear from his noble Friend opposite, the Secretary of the Admiralty (Lord Clarence Paget) that it would be taken into consideration, and that the new Board of Admiralty would devise some plan by which that great and growing evil—the existing stagnation of promotion—might be effectually remedied.

Sir CHARLES NAPIER said, he had hoped that after his explanation the right hon. Baronet would not again have found fault with him for having mentioned his plan of retirement. That plan was not furnished to him confidentially, and he appealed to the House to say whether a document which was handed round to almost every old Admiral resident in London, and which formed the subject of a petition to Her Majesty, could properly be called confidential. It was true that the petition to which he referred was not presented to the Queen, but the reason of that was that the right hon. Baronet left office before the requisite arrangements could be completed. The petition, however, was signed by himself and several other admirals, and one of those who attached their names to it took the liberty of telling the right hon. Baronet that an experience of fifteen months at the head of the Admiralty did not seem to have taught him to respect the feelings of naval officers. It would be perfectly fair to offer compensation to the lower ranks of officers for voluntary retirement; but to force old officers to retire from the service was degrading; and he could never forget that the death of his own father, a captain in the navy, who had not had an opportunity of serving, was caused by his being passed over in promotion. He never held up his head after it. The truth was that the right hon. Baronet did not know, and never would know, what the feelings of naval officers were, and fortunate it was that he was driven from office before he could bring forward his nefarious system of retirement. It was, no doubt, true that the right hon. Baronet obtained the assent of a number of officers to his plan, but the probability was that those officers were young men who would profit by the change; at all events he could state with certainty that the plan was disapproved by the senior officers. His own first naval Lord disapproved of it. The first civil Lord might have approved of it, but he knew nothing about it. But the right hon. Baronet had not told the House all. In addition to the other objectionable features of his scheme, the right hon. Baronet actually wanted to take into his own hands, with the view of increasing the patronage at his disposal, the haul-down vacancies belonging to flag officers, as well as those special vacancies which were given to the Board of Admiralty for the purpose of rewarding officers for distinguished services. It was quite true that various Boards had made retirements. That was quite right; for it brought forward a sufficient number of young officers, and at the present moment there were more young Admirals in the service than there were during the war. But the proposal of the right hon. Baronet went much further, and he could only say that he hoped the present First Lord would find something better to do than going out of his way to hurt the feelings of old officers, and that the House of Commons would not vote a single shilling except for the purpose of assisting old commanders and lieutenants who had not sufficient interest to make their way in the service.

Sir JOHN PAKINGTON said, that the observations of the hon. and gallant Admiral afforded an additional exemplification of the inconvenience of discussing a plan the details of which were not before the House. Not one of these observations applied to the plan as it at present stood. The hon. and gallant Admiral complained of the cruelty of compelling old and distinguished officers to retire. Perhaps the House would be surprised to hear that his (Sir John Pakington's) plan did not compel any flag-officer to retire. It applied to officers in junior ranks, but it did not deprive any flag-officer of any privilege that he now possessed.

Sir CHARLES NAPIER said, he did not know how the plan stood now: his observations applied to the plan as it stood when he had cognizance of it.

SIR CHARLES WOOD agreed in thinking it very inconvenient that a plan which was not before the House should form the subject of discussion. He thought, however, the right hon. Gentleman opposite (Sir John Pakington) had very considerably understated the effect of the plan of retirement proposed in the "confidential" document. He should certainly disapprove of any plan by which compulsory retirement at the age of sixty years would be enforced. If such a regulation had been in force, the country would have been deprived of the eminent services of the late Lord Lyons. There had certainly been a difficulty with regard to the tardy promotion of post captains to the higher rank; Lord Lyons himself had continued for thirty-six years in the rank of post captain, and he doubted not that there were other distinguished officers who had the same story to tell. But regulations had been adopted to meet this admitted evil shortly before he himself had quitted the Admiralty, and the beneficial effects of these, by which captains would become admirals, generally speaking, in less than twenty years, were only now beginning to be felt. He could not therefore agree with the right hon. Gentleman when he spoke of the utter stagnation of the service as regarded promotion; and he believed that since Lord Howe's time there had never been, comparatively speaking, so many young admirals in the service as at present. At the period when he succeeded to the office of First Lord of the Admiralty there were only nine admirals under sixty years of age, and from a Return which he held in his hand there were now upwards of thirty under that age upon the active list. This was certainly effected by the system of retirement to which he had alluded. He certainly did not believe that retirement by age would be an improvement of the present system. He thought every one would admit that Lord Lyons was one of the most efficient officers we had had for many years, and yet Lord Lyons would have been disqualified years ago if retirement at the age of sixty had been compulsory, for Lord Lyons, he believed, was seventy when he died. [Admiral WALCOTT: Sixty-eight.] He did not say that every man above or below sixty would be able to command a fleet, but he thought it would be a great mistake to debar themselves of the services of such a man as Lord Lyons because he was above sixty years of age. He said this without any reference to the plan of the right hon. Gentleman. The number of superior officers being much less than those of the inferior officers, it was impossible to hope that by any plan of retirement promotion could be given to all the inferior officers. Suppose that 1,200 lieutenants to be the number on the list, and that there were 350 captains and 450 commanders, it was obviously impossible that the whole number of lieutenants could be promoted to commanders. He was not in possession of the exact proportion of the commanders, but he was aware that the actual number exceeded the authorized limit; thereby showing that promotion to that rank had gone on more rapidly than in any other, and consequently the delay was not, as was supposed, in the grade of lieutenant. By increasing the retired list they removed officers who had attained an age which rendered it almost impossible for them to serve, and it was to the interest of the country that the list of officers in the lower rank should be relieved of such as are incapable of serving in that rank. He thought that the present rules of retirement had answered, to a great extent, the purpose for which they were instituted. No scheme that could be invented would be agreeable to all classes of persons.

ADMIRAL WALCOTT said, if the country and the House would only exercise a little patience these grey-headed officers would soon disappear from the reach of their bounty, or the hearing of their regrets; the broken spirit and the wounded heart will be beyond recall. The House had not, however, been made acquainted with the circumstance under which the large list had been produced. It owed its origin to the war, which lasted from 1792 to 1815, during which we had at one time nigh 1,000 pendants flying. There were at the same time no less than 147,000 seamen and marines in the service—we were at war with almost the whole world. Russia, Denmark, Holland, France, Spain, Turkey and lastly the United States of America; and it was absolutely necessary to have fleets blockading the ports of the enemy, and protecting the commerce of the country. The number of officers was consequently very large, and that was the cause, as he had always said, of the number of officers on those lists. If an actuary were applied to, he would tell them that officers of the navy did not live longer than other men; but the more favourable state of the public health of late years accounted for the average of life being greater. All the lists, whether of admirals, captains, commanders, or lieutenants, were crowded with old men, and they had only to exercise the little patience he had entreated of the House and they would see them thinned by the natural effect of time. In regard to the sum required it was a debt of honour, the fulfilment of an ancient and just engagement, upon the part of the country; these officers demanded only this moderate requital in their age and compulsory retirement for activity, energy, and fidelity, the aggregate of which ennobles the national history. Since 1815, appointments, promotions, and recommendations for marks of honour at the hand of the Sovereign had gone, in very many instances, by favour. Every First Lord had his own friends to provide for, and then he probably took the advice of the First Naval Lord, who knew certain officers with whom he had served, and naturally recommended them. It was impossible there could be any confidence in the service until the colleagues of the First Lord were made responsible with him for appointments, promotions and rewards. During forty years of peace the proportion of captains employed was 80 out of 600, and few therefore could rise to the rank of admiral on the active list without friends at the Admiralty. In peace a captain must have been six years, and in war four years, in command of a post ship, before he was entitled to rise to the rank of admiral on the active list—consequently, if he were not employed this list was barred to him; if he had no interest he could not get employed. There were ninety-nine admirals on the active list. They had more young admirals than they could employ or did employ. If an officer could not reach the ear of the First Lord he remained without employment, and was put upon the reserved list. He was one of those who was displaced when he had a fair right and title to be employed. He never could obtain employment sedulously as he had applied for it. Captains who had been six, nine, and ten years afloat were able to get ships, while other captains could not serve the time necessary to keep on the active list. When the experienced captains died the country lost their services, and in addition the advantage of the survivors having shared the experience. Until some great consideration was shown for merit the evil must continue. If it were known that the only road to employment, promotion, and recommendation for marks of honour at the hands of the Sovereign was by zeal, energy, and gallant good conduct, there would be a very different feeling in the service—officers who had no influence saw First Lord after First Lord succeed to office, and just when they expected that the First Lord had provided for his friends and could give encouragement to merit, a change came, and with the change disappointment. They had rolled the stone up hill with the greatest difficulty when it fell and crushed them, and they had to begin over and over again. That was his case for thirty years, and hundreds of others who had spared no effort to get employment never could get a command. His heart had been almost broken, and he had been thrust upon the reserved list when he had energy and ability to have done his country some service. Officers who had not used every effort to get employment were unworthy of the profession, and should be thrust aside; but those who offered for any command and any station were entitled to some consideration. He was glad that the Admiralty had given some advantages to chaplains and surgeons, but the same was equally due to masters and lieutenants. He suggested that to those lieutenants no longer available for active employment, the rank of commander and some small pecuniary consideration, probably an increase of a shilling a day, would remove discontent and afford encouragement to young officers who were just entering the navy.

Sir FRANCIS BARING said, that he quite agreed with the hon. and gallant Member in the propriety of encouraging good and efficient men. In the year 1848 the average age of those officers whose names stood upon the admirals' list was seventy, and that there were only six of them whose age was under sixty, while there were at the present moment thirty-one admirals who were below that age. The complaint now was that we had too many young admirals rather than too many old ones on the list. The consequence of the state of things which formerly prevailed was that when he, being then at the head of the Admiralty, communicated with two gallant admirals, with the view of sending them out to take command of the East Indies, the answer he received was that they were too old to perform the service which was required at their hands, and he was eventually obliged to appoint an officer to the command whose age was seventy-two years. There were at the period to which he referred, about 100 officers in the captains' list who were incapable of service, and on that of the lieutenants', which embraced 2,300 names, about 1,000 in a similar position. Under these circumstances he found it impossible to leave matters as they were, and he therefore introduced a measure which, in conjunction with other measures in the same direction by which it was followed, brought about the present efficient state of the Navy list. There were on the list many gallant officers who were able and would be delighted to serve, and who would feel their removal from the active list as one of the greatest calamities that could befall them. The question of the age of naval officers was one which had been over and over again taken into consideration at the Admiralty; but, however well any scheme for dealing with it might look upon paper, to strike distinguished and historic names, such, for instance, as that of the hon. and gallant Member for Southwark, off the list was by no means a pleasant task for a first Lord of the Admiralty to discharge. With regard to the complaints which were made by those officers who occupied the lower ranks in the service, he could only say that it was impossible to make every lieutenant an admiral—there must always be more subordinates than chiefs—and, in his opinion, the best mode of dealing with them would be to open a door which would admit of their retirement from the service with honour and satisfaction to themselves. To deal with the lower grades in a liberal spirit would, be believed, be the truest economy. So far as the question of promotion was concerned he thought that, instead of promotion having been slow, there had been a considerable flow of it for the last few years.

SIR JAMES ELPHINSTONE said, it would be found on looking at the matter from a practical point of view that the number of junior officers was too small for the service. How was that difficulty best to be got over? The hon. Member for Sunderland (Mr. Lindsay) had recommended that the officers of the superior class of merchants' ships should be made available for the navy; but he should remind the Committee that it would not be easy to secure the services of such men. For his own part, he should not, when he was in the East India Company's service, have thought of entering the navy, inasmuch as the former service was much preferable on the score of pay, and in consequence of the rapidity with which promotion might be obtained. Those who served in the superior classes of merchant vessels were generally the sons of mercantile men who had the prospect before them of becoming partners in some mercantile house, or of settling down comfortably in some other capacity, and it was not therefore probable that many would be lured into the navy from that service. As to the manner in which the officers in the lower ranks of the navy might be provided for, he could only say that in his opinion the best mode of dealing with them would be either to raise them to the rank of commanders or buy them out, as had been done in the East India Company's service, in which a man on leaving the service received a certain sum of money according to the rank which he filled, and a small premium. If a similar practice were to be adopted in the navy the lieutenant's list would soon be cleared. He might add that when a man had served as a midshipman for eight or nine years, and afterwards a lieutenant for thirteen or fourteen years, making in all a period of from twenty-one to twenty-three years' service, he generally became, owing to the wear and tear of constitution to which he was subjected, practically unfitted for duty as a quarter deck officer. What, then, under these circumstances, was to be done with him? He could not be made an admiral; but then he might have conferred upon him the privilege of writing Captain So-and-So on his door, together with a small addition to his pay if he remained in the service, and by that means the list might be cleared. There was at the present moment in the navy a large number of officers who were discontented, because they saw, as it were, no daylight before them, and because their youth had passed away, leaving them to spend the rest of their days in the endeavour to live on a pittance which was a disgrace to the country. He might also observe that the navy, instead of being a cheap was in fact an expensive profession, and consequently it was only right that an officer in his old age should be entitled to receive something from his country for his past service. As to the admiral's list, he did not think it much mattered how many names stood upon it, as long as there was a power of selection.

MR. LYGON wished to remove a misconception which appeared in the speeches of the hon. and gallant Member for Christchurch (Admiral Walcott), and the right hon. Baronet the Member for Portsmouth (Sir F. Baring), in regard to the scheme that had been incidentally alluded to in the present discussion. There was no attempt made under that scheme to crush the feelings and break the hearts of any of the gallant men of the profession. The hon. and gallant Gentleman was quite under a misconception on that point. The intention of the scheme was to secure to every officer his fair chance of promotion without hurting the feelings of any one.

Admiral DUNCOMBE said, it had been currently stated that the officers who were consulted by the late First Lord in this matter, one and all disapproved of the scheme. Surely, if such men as Lord Dundonald, Sir George Seymour, and others disapproved of the scheme, it could not be said to bear the construction just put upon it by the hon. Gentleman the Member for Tewkesbury (Mr. Lygon).

Admiral WALCOTT declared, that to neglect old officers was not calculated to encourage the present or provide for the future, and that the scheme of the late First Lord of the Admiralty had given infinite pain to many old and gallant officers who were the pride and ornament of the navy, and whom every young officer might look up to as an example. The hon. Member for Tewkesbury, and the late First Lord of the Admiralty, had no fair knowledge of the profession, or they would not in intention have adopted any such system. True it was they had denied by their speeches any such infliction, but, nevertheless, by some unfortunate misunderstanding, it had been created, and the late First Lord must have been sensible this had been produced, because he admitted he had modified his first proposition. Naval officers should be encouraged to improve themselves in the various branches of their profession, and they should be made to feel that this was the only road to employment, to promotion, and honours. In the case of the gunnery officers, however, no such encouragement was held out, and he thought their case was really deserving of consideration.

Sir JOHN PAKINGTON said, the observations of the hon. and gallant Admiral (Admiral Duncombe), showed the extreme inconvenience of discussing a matter that was not actually before the House. From what had fallen from the hon. and gallant Officer, it was evident that he did not hear the beginning of the discussion. [Admiral DUNCOMBE said, he was present all through the discussion.] The gallant Admiral has stated that which he (Sir J. Pakington) could understand if he were not in the House at the beginning of the discussion; but he certainly could not understand his observations when he said that he had been listening to the debate throughout. The hon. and gallant Admiral said, that all the officers in his (Sir J. Pakington's) confidence disapproved of the plan. Now, his gallant Friend, if he were present, must have heard him state that he thought it his duty to consult a great number of officers in the navy as to his scheme without any knowledge of their previous bias, and that an overwhelming majority had given a cordial assent to his proposition.

Admiral DUNCOMBE had referred to the old flag officers, all of whom objected to it.

Lord CLARENCE PAGET said, he had understood the right hon. Gentleman (Sir J. Pakington) to say, on the subject of the present rate of promotion, that he had only during one year the opportunity of promoting two commanders to be captains, and five lieutenants to be commanders. It was therefore, but fair, that he (Lord C. Paget) should state what the promotions in the year were during the year 1858; when the right hon. Gentleman was in office, there were nine admirals made from captains, twenty-two captains made from commanders, sixty-two commanders made from lieutenants, and fifty-one lieutenants made from mates. He (Lord C. Paget) did not say that even that was sufficient promotion, but it made up a very different figure from that which the right hon. Gentleman put before the Committee.

Sir JOHN PAKINGTON had, in his previous observations referred to Board promotions only, and not to promotions from the retired list; and he repeated that in the first twelve months that he was at the Amiralty, he had only made two commanders and five lieutenants.

Vote *agreed to*, as were also—

(2.) £243,957, Military Pensions and Allowances.

(3.) £83,416, Civil Pensions and Allowances.

(4.) £175,000, Freight of Ships.

(5.) £704,008, Packet Service.

Mr. LINDSAY said, he wished to direct the attention of the Committee to the scale of payment of seamen in the navy. He would be the last to oppose unnecessarily any increase of that pay, for he had been a sailor himself; but he asked if that increased pay—and a bounty was only increased pay in another form—was necessary, and, if so, would it effect the object in view? The right hon. Gentleman the late First Lord, in a time of peace, but taking alarm at rumours which had not the slightest foundation, thought it necessary to hurry on the work of manning the navy. It was extraordinary that, while the pay of the seaman and his position in the navy were better than in the merchant service, while his work was less severe, and that he was not only provided for in sickness, but in old age—when we wanted men to enter the navy they could not be got. There must be something wrong to account for such a state of things. Excessive drill was alleged to be one reason, and flogging another. The hon. Gentleman the Member for Lambeth had told them that no less than 2,100 lashes had been inflicted in one Queen's ship in a single year. What a degrading position it was to strip a man and flog him before his shipmates, and that not after any trial, but from the mere impulse of the moment! It was so degrading that it was enough to deter men from entering the service. He (Mr. Lindsay) did not advocate the doing away with corporal punishment; it might be necessary; but let a man, before being punished, be tried by a court-martial composed of his officers, under the presidency of the Captain, and then if he was held to have deserved punishment let it be inflicted under the authority of that tribunal. He had heard also of excessive drill. A removal of these causes of complaint might induce seamen to enter the navy; but the bounty of £10, while it increased the pay of the Royal Navy, ended with increasing the pay of the merchant service from £2 10*s*. to £3 10*s*. per month; and yet, after saddling an important and depressed interest with a heavy additional burden, the bounty did not effect the object that the Government had in view. The shipping interest of this country were running a great ocean race with all the countries in the world, and anything that raised the rate of wages paid in British ships made the shipowner less able to run the race prescribed for him by the law. The £10 bounty created dissatisfaction among the old hands serving in the navy. The seamen asked why they should not get £10, as well as the men of the merchant service. Well, the Government now proposed to vote £5 to able seamen. Would that satisfy them? They would say that if it were just to give them £5 it was equally just to give them £10. He had no doubt it would be necessary to vote another £100,000, and still the Government would not be able to gain their object. He certainly thought the offer of a £10 bounty a mistake on the part of the late Government.

LORD CLARENCE PAGET said, he had always understood that it was the custom of the House to allow the mover of a Vote an opportunity of explaining it; but the hon. Gentleman was so anxious to speak that he had debarred him from that chance. He was now enabled to give an explanation of this Vote, which he was unable to do on Friday. At that time the Order in Council was not issued, and he preferred to wait until he was in a position to propose this Estimate. He wished to repeat the opinion he had before expressed, that nothing but the most urgent necessity could justify a recourse to bounties, especially to bounties of so large an amount as that lately offered. A system of bounties might be compared to those opium draughts which were common in Eastern countries: each dose must be stronger than the former. In like manner, if our seamen were taught to expect that at the least cloud in the west, or approach to a political difficulty, a bounty would be offered, the Admiralty would never be able to get a seaman without a bounty. The wisdom of giving a bounty ought therefore to be very carefully considered by any Government before they proposed it, and the bounty ought never, in his opinion, to be adopted without the sanction of the House of Commons. The bounty offered by the late Government had certainly rapidly increased our force of seamen. But another question then arose. The Government had to consider the position of those seamen who had been serving their country faithfully, who had learnt in the Royal Navy the whole of the duties of a seaman, and who had come to be efficient men-of-war's-men. Now extending a portion of this gratuity to men who had five years to serve or who were willing to continue in the service five years longer was a step he was perfectly prepared to defend. The gratuity proposed to be given to each such man was £5, or one half the bounty offered by the late Board to new entries. He did not mean to say that those men had any claim to any gratuity whatever; but he wished to bring this matter home to his right hon.

Friend (Sir John Pakington) as a personal question. He would suppose that his right hon. Friend and himself were captains of line-of-battle ships, and that instead of a scarcity of seamen there was a scarcity of captains of line-of-battle ships. That had happened before, not in the English, but in the French service, for in France during the Revolution the captains of merchantmen were taken out of their ships and put in command of men-of-war. They wore the uniform and enjoyed all the privileges of captains of men-of-war. Now, suppose that some respectable merchant captain, who was a very good seaman, but utterly unacquainted with the duties of captain of a man-of-war, were put upon an equality with his right hon. Friend and himself. That would be unsatisfactory; but what would his right hon. Friend and himself say if this captain of a merchantman had given to him a large sum of money in hand beyond what they had received? If he obtained his epaulettes, sword, cocked hat, and all the paraphernalia of rank, and all the furniture of his cabin? Would his right hon. Friend and himself be satisfied that men, uneducated in the service, should thus come among them, with vast advantages over them in the shape of the rewards given to the new-comers for becoming captains in the navy? He thought they would not like it at all. But that was precisely the case of the seamen of the Royal Navy at the present moment. The bounty of £10 was nearly half a year's pay. Though the seamen in the Royal Navy had no legal claim to any participation in the bounty, their position was such that the Government had to consider how they ought to be treated. He must say for these men that, so far as he was aware, they had never uttered a word of complaint. But was that a reason for not considering their claims? If the Government thought they had a just demand for some consideration justice ought to be done at once and spontaneously, and without waiting for complaints. He thought it was best that the seamen already in the service should have no cause of complaint. Although one-half of the bounty was to be given to men already in the fleet, it was upon certain conditions that a man who had less than five years to serve should enter for an extension of that period to five years, and one month after the receipt of the Order in Council on board each ship should be allowed to the seamen to elect whether they would accept the gratuity or not upon those terms. Supposing that those conditions were accepted by a majority of the men, we should, as it were, have our fleet manned for five years to come. Under these circumstances he submitted that the Government was justified, upon grounds of public policy and fair consideration towards the men, in asking the Committee to vote this sum of money.

Sir JOHN PAKINGTON said, he was sorry to have to state that what had fallen from the noble Lord had not affected in the least degree the opinion he had expressed upon a former evening. He had heard nothing which he could call a reason for the extraordinary course proposed, which was a deviation from all precedent in the past, and establishing an embarrassing and inconvenient example for the future. He could only hope that by the immediate adoption of a better system of reserves we might escape being placed in the critical position in which the late Government were placed when they were compelled to resort to the system of a bounty. The hon. Member for Sunderland (Mr. Lindsay) and the noble Lord had both touched upon the general policy of a bounty; but that question was not now before the Committee, and, indeed, it was settled last week, when the House voted the sum necessary for that bounty. All he would say as to the general policy of the bounty was, that a great national object was at stake, and that object had been accomplished by it. The question before the Committee was a different one—whether, because Parliament had voted £31,000 to get seamen, it was right to spend £100,000 more in making a voluntary gift to men who were already in the navy. He thought nothing could justify such wanton expenditure but the most urgent necessity. If any complaints had been made, if there had been any great exhibition of dissatisfaction in the fleet, that might have been an excuse for such a proposal, but nothing of the kind existed upon the noble Lord's own admission. The whole case of the Government turned on the possibility that there might be dissatisfaction amongst those men. He had said the other evening that if there were discontent upon that ground, it was a case in which the Government were bound for high reasons of high policy to take a bold attitude and declare the demand unreasonable. But, to the honour of the sailors it must be said, they manifestly saw the unreasonableness of the demand. The Committee must remember what had been done for those men recently. In the Supplementary Estimates they were now considering, in the first Vote, were three items to which he begged to call their attention. The first was to meet the increase of extra pay allowed to seamen gunners, £13,000; the next was to provide for good-conduct pay to petty officers for badges awarded to them after promotion to that rank, £7,657; and the third was for gratuitous issues of bedding and clothing to seamen and boys, £38,000. Those were boons just granted for the first time, and it was unreasonable that a bounty which was only granted upon an emergency to induce sailors to enter the Royal Navy, who would otherwise have remained in the merchant service, should be extended to all the men who were already in the service. Considering the increased pay and advantages enjoyed by men engaged for continuous service, there never was a moment when there was less excuse for dissatisfaction. Nothing had fallen from the noble Lord which would not have been applicable to the three former occasions upon which bounties had been granted, and which were not paid to men already serving. At some future time, notwithstanding all improvements, a day might come when the Government of this country would be embarrassed by this unreasonable proposal to throw away £100,000 just now, when, as the Chancellor of the Exchequer would probably soon tell the House, our national finances were in a condition in which it was peculiarly desirable that no unnecessary public expenditure should be incurred. He (Sir John Pakington) believed that there was no amount of money which the House would not vote and their constituents sanction if that money was to be judiciously and properly expended to secure our national defences. But, on the other hand, he was equally persuaded that public opinion ought to condemn and would condemn any gratuitous, unnecessary expenditure of the kind now proposed, which was not justified by past precedent nor existing facts, and which must prove most embarrassing and inconvenient for future Administrations. However, approval of the proposal was one thing, and opposing it when proposed was another, and while he disapproved of the proposition of the Government, he believed it would not now be possible for the House to refuse its sanction to the arrangement into which they had entered. Such a refusal would indeed be productive of discontent in the Royal Navy where two months ago there was none. The late Government attained their object, got the men they wanted, and there was not a whisper of discontent heard. The noble Lord had talked about the policy of treating the British sailor with generosity; and so he should be: but the fact was that never was the sailor treated with so much generosity and consideration as at the present time. Now, for some motive which he could not understand, and which the noble Lord had certainly not explained, he found the Government at a moment of financial difficulty embarking in this most unnecessary expenditure. Having protested against it on these grounds of public policy, he must leave the Government the responsibility of the course they had adopted, for they had embarrassed the question and placed it on a totally different footing from that on which it stood before.

MR. WHITBREAD asked the House to consider, as the right hon. Baronet said the present Government had adopted an inconvenient precedent, whether it was not the late Government who had set the example of inconvenient precedents by giving a bounty to seamen on enlisting? Could any one hope that henceforward men would readily engage in the service without a similar inducement? The right hon. Baronet referred to the success of the bounty in obtaining a certain number of men, and said that a great national object was to be gained by it. So likewise it might be said of the recent act of the present Government, that a great national object was to be gained by it; and he thought that object would be accomplished by the prevention of any discontent arising among the seamen, as well as in securing the services of the flower of the fleet for many years to come. He believed, notwithstanding what had fallen from an hon. Member, that this gratuity would satisfy the seamen, for they knew that they had no legal claim to it, and they would be pleased and gratified by having it offered to them on a principle of justice. It was maintained by the right hon. Baronet that, as no discontent had been heard of hitherto, none was ever likely to arise, even if this gratuity had not been offered; but discontent did not arise in a moment. The men whom this question affected lived not like other people in the midst of society composed of all sorts of professions, but entirely in the company of persons like themselves. All their interests and feelings ran in one way; and was it not certain, when the propriety of the late Government's act was questioned in such an assembly as that House that it would be questioned by them? It was impossible to conceive, unless the present proposition were acceded to, that the seamen would not think that, having made a bargain with the country, the country had got the best of it, and was determined to keep to it. He thought it might safely be maintained that by the step now taken the Government had not only secured to this country the services of the most efficient body of men for the fleet for five years to come, but had also impressed on the minds of those men—and this was a result of far more value than the money at present asked for—the conviction that they were dealing with a just and generous country.

Sir CHARLES NAPIER approved of the bounty which had been given, inasmuch as it had obtained for the fleet a considerable number of men; and what could the country have done without them? He would remind the hon. Gentleman the Member for Sunderland, who so much disapproved of the bounty, that some years ago, when our fleet was in danger from the superiority of the French fleet in the Mediterranean, we had a fleet lying at Spithead for which the Admiralty could not procure seamen. Now by means of the bounty, we had got 6,000 out of 8,000 men voted. Was that nothing? The noble Lord said that ameliorations had taken place in the service. He knew that that was the case, but he did not thank the Admiralty for it, because, had it not been for the Motions brought forward by himself and others none of these ameliorations would have taken place. Corporal punishment had been alluded to; but he did not think that the men generally were averse to it, as they knew that the discipline of the navy could not be carried on without it. He should like, however, to see the men brought to a court-martial before punishment was inflicted. Such a course would give great satisfaction to the seamen, and would not destroy the discipline of the navy one iota. He gave the late First Lord of the Admiralty the greatest credit for offering the bounty, and he did not see that the present Government had a right to find fault with that measure, since it had proved successful. He believed the men would feel grateful for the gratuity granted to them. They knew that they were not legally entitled to it, and they would receive it all the more gratefully on that account. The late First Lord of the Admiralty said he had heard of no discontent among the men; but he (Sir Charles Napier) was often at Portsmouth, and heard loud expressions of discontent. If an experienced sailor got no gratuity and a man who had not experience equal to him got the bounty of £10, was there not likely to be discontent? Would the House like to see the fleet lying at Spithead in the present state of Europe without hands to man it? The war was said to be finished; but was it really finished? In the present position of affairs no effort should be spared to place the country in a state of safety. There was not a man in that House or a Peer in another place who did not read or hear with pleasure the speech of Lord Lyndhurst the other evening; he should like to see the same spirit that he displayed exhibited in that House. Let Gentlemen forget for a time that they had constituents, and let them boldly approve all that could be done for the defence of the country, so that they might be able to point to the British fleet and say. "There is our fleet, ready to do all that it ever did in former days."

Sir JAMES GRAHAM: Sir, I am very unwilling to prolong this discussion, and it is desirable that we should get through the Navy Estimates as soon as possible; but like the hon. and gallant Admiral who has just sat down, I have for a long period taken a deep interest in the question of the manning of the navy, and am therefore desirous of saying a very few words. I will not discuss questions that are not before the Committee—questions of peace or war, and of the state of Europe, the subject of corporal punishment, and other topics that have been introduced. The question of a gratuity consequent on the bounty that has been granted is the matter now in hand, and to that I shall address a few observations. On a former occasion I expressed at some length my decided opinion against a bounty in time of peace. I then stated my objection to it in detail, and to those objections I still adhere. I think they are conclusive against the precedent set for the first time by the late Board of Admiralty of offering a bounty in time of peace. I think that bounty ought to be the last resource of a Government in the last extremity of war, or when war is imminently pending, and I fear that to have had resort to this last resource now will be found to have established a precedent that will add to our difficulties in manning the navy in future in time of peace. But it is needless to argue that question at any length on this occasion, because the bounty has received the sanction of Parliament, and I must assume, therefore, that such a bounty was necessary. But if that be the case, I can have no doubt whatever with respect to the Vote now before the House. I think this gratuity is the inevitable consequence of the bounty which we have granted. The late First Lord of the Admiralty says, there has been no discontent on the part of the men now serving in the Royal Navy. There are two important occasions on which a bounty has been offered in this country. One of these was in 1793, at the commencement of the revolutionary war. We had then only about 14,000 seamen, and just one-half of the amount now offered in time of peace was offered as bounty by the Government. The effect was, that in six months the number of men rose from 14,000 to 60,000. The other occasion was in 1803, at the commencement of the second French war. A bounty was then offered of £5 for able seamen, and £2 10*s.* for ordinary seamen —or exactly half the amount of that now offered in time of peace. At that time there were about 20,000 men serving in the navy, and the effect of the bounty in six months was to raise the number again to 60,000. Now, what is the case on this occasion? If I mistake not, there are more than 30,000 men now serving. But, besides that, a new system has been adopted—namely, that of continuous service. I believe that is a system which ought to be cherished as the foundation of an effective navy, and as one likely at all times to ensure the service of disciplined men. It is a system which, either in peace or war, promises to be of the greatest benefit to the nation. The right hon. Gentleman says there is no discontent; but let the House reflect on what is the inevitable effect of this bounty. Supposing a ship arrives in port from a foreign station to be paid off. There are five continuous-service men on board and five non-continuous-service men. The five continuous-service men are obliged to go to the flagship, in order to be employed in some other ship. The non-continuous-service men can the next day take the bounty of £10 and enter into service in another ship; but the continuous-service men, though of equal merit in every respect, are bound to serve five years longer without any bounty whatever. But the advantage to the non-continuous-service man does not end there—he gets a suit of clothes, bedding, and kit, complete, worth £6, while the continuous-service man gets nothing.

SIR JOHN PAKINGTON: The continuous-service man has more than an equivalent for the bounty.

SIR JAMES GRAHAM: He will, at the end of ten years, have received an equivalent; but it will be doled out to him in small driblets, at each monthly pay; while the non-continuous man gets £10 in his hand and £6 worth in clothes.

SIR JOHN PAKINGTON: The non-continuance man will receive £40.

SIR JAMES GRAHAM: At the end of ten years he will have received £40 I admit; but still, when one man receives £10 in hand and clothes worth £6, and another gets £40 in small sums at the expiration of ten years, I appeal to the House whether the immediate effect is not likely to be discontent? Then the right hon. Gentleman says, no demand has been made for this gratuity. But can any doctrine be more dangerons than that? Why wait for demands? What was the cause of the mutiny at the Nore? The men made demands, but no attention was paid to them till those demands assumed a most dangerous and formidable shape; and then concessions were made in a manner most degrading to the State, and that produced no salutary effect. It is said this is great generosity on the part of the State. Let there be such generosity. I think the wisest possible course at the present moment is to treat our sailors with kindness, generosity, and due consideration. The hon. and gallant Admiral (Sir Charles Napier) takes to himself exclusively the merit of everything that has been done in favour of the sailor for the last thirty years; but, setting aside that claim, it has been the object of Governments for the last thirty years to improve the condition of our sailors, and the concessions of the late Government, founded as they were upon justice, seem to me to have been based upon sound policy. I think the question is not one of generosity, of discontent, or contentment, but of justice. The hon. and gallant Admiral referred to a measure which I introduced in 1832, when I had the advantage of the advice of the late Sir Thomas Hardy, who was better acquainted with the feelings, the habits, and the prejudices of sailors, and the motives by which they are actuated, than any officer I have ever known. With the view of averting the necessity of impressment I introduced that measure, giving Her Majesty, at the commencement of a war, or when war was imminent, or when invasion was expected, the power of issuing a Proclamation calling for the service of seafaring men within a short period—six or twelve days—and of offering to all men who volunteered within that limited time double bounty. By the advice of Sir Thomas Hardy I included in that Bill a provision which, after debate, received the sanction of this House, that a bounty being given to new-comers an equal bounty should be given to all men then serving in the fleet. The object of that Act was to abolish the system of impressment. The hon. and gallant Member for Southwark, in a pamphlet published in 1840, referred to circumstances which had occurred in the Mediterranean, and pointed out what appeared to him the disadvantages of the enactment. I thought, upon mature consideration, that the objections were well founded, and in 1853 I introduced a measure materially altering the Act of 1832, and enabling the Queen to issue a Proclamation, not to all seafaring men, but to classes between certain ages, and leaving the question of the gratuity to the advisers of the Crown. So the law now stands; but I am bound to say that upon every principle of equity, and upon every consideration of policy, I am convinced, in the first place, that no Proclamation for compulsory service can be issued without the concomitant offer of a bounty, though I think the offer of a bounty ought to be reserved for that great emergency; and secondly, that whenever a bounty is offered to new recruits a gratuity must be given, not perhaps of an equal amount, but of a considerable amount, to all men already serving in the fleet. I think you cannot avoid the risk of serious discontent without taking that step, and in my opinion it is demanded by strict equity. I deny that it is impossible to man the fleet quickly without a bounty. On this occasion a bounty has been offered in a time of peace. It was my duty to man a fleet in time of war without a bounty, and I succeeded in doing it; not I, but an officer of the highest merit, who was associated with me—Sir Maurice Berkeley—who was entirely opposed to a bounty, and who, in the extremity of war, and amid all the difficulties of manning the fleet at that time, steadily resisted the offer of a bounty. The gallant Admiral (Sir Charles Napier) says, that the fleet on that occasion was manned by tinkers, tailors, and Lord Mayor's men. Well, Sir, there may have been tinkers, and there may have been tailors, in every ship on the station; but there were captains in that fleet who, satisfied with their crews, were ready to follow with their men into any action and into any danger in which the gallant Admiral was prepared to lead them. I can appeal to Sir Henry Keppel, who commanded the *St. Jean d'Acre*—to Admiral Elliot, who commanded a screw line-of-battle ship, and to the present Secretary to the Admiralty (Lord Clarence Paget), who commanded the *Princess Royal,* and I would ask them whether those "tinkers and tailors" were not men in whom they placed such confidence that they were ready to encounter any fleet that might have dared to engage them. So much, then, for the experience of manning the fleet without a bounty in time of war. I say, again, that in time of peace I consider the bounty to have been a rash and an inexpedient measure. I hold, however, the gratuity to be an inevitable concomitant to the offer of the bounty; and if the result should be to render future Governments more cautious in offering a bounty in time of peace, with reference to the inevitable expenditure occasioned in the shape of a gratuity, without which gratuity they would run the risk of creating discontent in the fleet, I, for one, shall be extremely glad that that salutary effect of greater caution has been produced. The bounty having been given, I cannot object to the necessity and prudence of voting the sum now demanded.

SIR CHARLES NAPIER: The right hon. Baronet says I took credit for all that has been done for the sailor during the last thirty years. I did no such thing. I say so distinctly. It is untrue. [*Cries of* "Order!"] What I took credit for was obtaining the appointment of the Committee which was the means of doing much that has lately been done for the good of the service. The right hon. Baronet says he manned the fleet. He man the fleet! Prettily the fleet was manned. There never was a fleet sent to sea in such a disgraceful state as the Baltic fleet. He refers to Sir Henry Keppel and to Admiral Elliot. Why does he not refer to other officers? He knows how the ships were manned as well as I do, and every officer in that fleet knows that it was shamefully and disgracefully manned. The fleet was a disgrace to the British Navy. And I will tell the right hon. Baronet further that if he will allow me to produce his own letters, and Sir Maurice Berkeley's private letters to me, referring to the way in which that fleet was manned the House will be astonished. I am not sure that I am doing my duty in not producing those letters; and I ask the right hon. Baronet now to let me come down to the House with them on another day, and they will show how the fleet was manned.

Sir JAMES GRAHAM: The gallant Admiral has already taken that liberty by producing my private letters without my consent.

Sir CHARLES NAPIER: Not all of them. Will the right hon. Baronet allow me to produce the rest of the letters?

Mr. W. WILLIAMS explained, that though the noble Lord the Secretary of the Admiralty commanded the *Princess Royal* in the Baltic, he was not captain of that ship when the abominable flogging of which he had complained took place.

Vote *agreed to.*

SUPPLY—ARMY ESTIMATES.

(7.) £410,000, Embodied Militia.

Mr. SIDNEY HERBERT: At this late hour of the night I think that the Committee will be of opinion that the more I condense my statement in moving the Army Estimates the better it will be. There is the less necessity for my going into much detail because the greater part of the effective Votes for the army were taken in the last Session of Parliament. Only one Vote was taken on account, and only the non-effective ones remained to be voted. After the very frequent discussions which we have had during the last two or three days upon the subject of the force now in England I need not enter into particulars upon that question. My gallant Friend who preceded me in office (General Peel) has already in the course of the evening explained the exact amount of the military force in Great Britain, and my right hon. Friend has accurately stated that we have now in England, if we include the Indian depôts, 110,000 men of all ranks. Of that number 23,000 men belong to the embodied militia. The hon. Member for Invernessshire (Mr. Baillie) objects that the militia ought not to form part of the permanent and first force of England; it was properly a reserve force; and that if it were necessary to make use of that reserve in time of peace we should have nothing to fall back upon in time of war. I entirely concur in that opinion; but then it must be remembered that my gallant Friend had to administer the army in times of singular difficulty. He had suddenly to raise our forces by several battalions, and to send to India, to meet an unprecedented emergency, all the troops upon whom he could lay his hands. Under these circumstances I think he acted wisely in calling upon the militia to afford by embodiment a substitute for the battalions of which England was necessarily denuded, and also in maintaining these regiments embodied until the return of a portion at least of these troops from India would enable him to dispense with their services. I am sorry to say that since the late Government determined to take a Supplemental Estimate for this purpose we have been prospectively deprived of the return of two or three of these battalions by the mutiny which has broken out in the local European army. In spite of that, however, there are coming from India six battalions of infantry, one regiment of cavalry, and a large portion of the military train which has been used as a cavalry force in that country. We have also a battalion coming home from Canada. It would not, however, I think, be advisable to disembody a corresponding force of militia upon the arrival of these troops. Next year, if we get a large force from India and can count a large army—a fair army —of regular troops in this country, it may be wise to disembody the regiments of militia, and to trust to that force as a reserve, and as a reserve alone; but before that is done it will be necessary for the Government to look most carefully and anxiously into the state of the disembodied militia. I do not wish to enter into that question now, because it must necessarily come under our consideration upon the Vote for the disembodied militia; but there is no doubt that at present that force to a great extent exists only upon paper, and that the training now coming on will show a lamentable deficiency in its ranks. I will not, therefore, at present allude to the measures which the Government may, with the sanction of the House, take to mitigate this evil, but I think it fair that the country should know what are its real resources, and should not rely upon that which upon paper may appear extremely formidable, but in reality is very weak. Our Ordnance force, small as it is, has of late years been admirably administered. We have now got what we never had before, 180 guns completely horsed and equipped and ready for service, and, I think, 100 in reserve. This is a great improvement, for which we are, I believe, greatly indebted to the zeal and excellent administration of the gallant Officer who preceded me at the War Office. A few years ago there was a great deal of dissatisfaction in this House at the formation of the camp at Aldershot, and the Gentlemen who moved the Army Estimates had frequently great difficulty in obtaining the Votes which were required for carrying out that scheme. There were great complaints that it did not answer the purpose of a camp; and there is no doubt that the English army, admirable as it is as a combatant army, has for years been extremely deficient in those auxiliary services upon which the efficiency of an army depends. Until late in the Crimean war our commissariat, military train, and medical staff were exceedingly deficient. I believe that of late years great pains have been taken with these services, and a great improvement achieved, and that nothing has more contributed to this result than the establishment of the camp at Aldershot. Within the last few days I have read a report from the General commanding at that camp as to how the troops have been engaged during a certain period. He says that the drill is good, that the second battalions, consisting of course of young recruits, have made remarkable progress, and that the embodied militia is in a state of efficiency which has astonished military men. It used to be said that at this camp nothing was done which would enable the soldier really and practically to learn camp life. I believe that much has been done to answer that objection. Earthworks are now thrown up by unpaid military labour—a very wise arrangement—and the engineers are making fascines, and instructing others in their manufacture. The General says that brigades of infantry and artillery have been sent out to encamp at a distance of fifteen miles off, and that under the hot sun which we have experienced during the last month these marches have been effected without a single man falling out of the ranks; that the men show the greatest aptitude in encamping, erecting temporary ovens and so on; and that there is a marked improvement in the facility with which these operations are conducted. The commissariat corps has been practised in the field. It accompanies the troops and purchases animals, slaughter-houses are established under the management of the troops, and all the operations for victualling the force are conducted as they would be in war. I frankly admit that there are in this country facilities for purchasing food and conducting every operation which would not exist in the case of actual warfare; but you cannot create difficulties for the purpose of overcoming them, and, as far as possible, the commissariat corps is exercised in the duties which it is intended to perform. Lastly, I may mention that crime has greatly diminished at Aldershot. During the last few months there has been a marked diminution in the number of deserters from the army. It is also stated that the health of the troops at Aldershot is something unequalled in the annals of the British or any other army. I do not think that so much importance ought to be attached to this as we may at first sight be disposed to attribute to it, because it must be borne in mind that while the ages of many of the battalions at Aldershot range only from 18 to 25, those of the men in an army on actual service generally vary from 18 to 40. I have no doubt, however, that a great improvement has taken place in the sanitary arrangements of the camp. Having said thus much with regard to general questions, I will now proceed to explain the Votes to which it is my duty to ask the Committee to assent. For the purpose of keeping up the Embodied Militia we ask for a sum of £410,000. Vote 8, for Wages, amounts to £108,000. A great portion of this expenditure, it must be remembered, is not for purely military purposes. For example, there is taken for the Royal Laboratory a sum of £49,000 for a supply of shot and shell to put the garrisons in the Mediterranean in complete order for three years. There has been a revision of the armaments at Gibraltar and Malta, and it is also necessary to keep up a large stock at these places for the use of the fleet. This sum is to be partially employed in making a provision of shot and shell at those places for no less than 15 line-of-battle ships, 30 frigates, 30 sloops, and about 60 gunvessels and gunboats. The Vote for the Royal Gun Factories is £4,842, which is taken merely for the purpose of hastening work already ordered, and completing work required for putting our garrisons in a proper state of defence in as many weeks as it would otherwise occupy months. The Vote for the Royal Carriage Department includes ten new batteries of 18-pounders, to be employed as a moveable force along the coast. This was recommended by the secret Committee which sat to inquire into the national defences. Perhaps the House would like to know what are the probabilities with regard to the delivery of the guns in course of manufacture by Sir William Armstrong. If the new buildings and machinery should be completed by the 1st of October, then I believe we may expect to have the delivery of 100 guns by the end of the year, and I hope we shall have something like 200 more in the course of the present financial year. After that the delivery will continue at a rate which will I hope soon enable us to have, both on board ship and for our land defences, a very great number of these formidable instruments of war. The next Vote, No 9, is merely for the clothing of the embodied militia, which of course would not have been necessary had this force been disembodied. The items for provisions, forage, fuel, &c., are necessarily proportionate to the number of men you intend to maintain. Vote 11 is for warlike stores for land and sea service. Under this head there are several large items. First there is a sum of £60,000 for the purchase and repair of small arms; then comes £61,000 for iron ordnance and for the shells and fuses requisite for the service of Sir William Armstrong's guns. I need hardly mention the other items, but there is one of £225,000 for miscellaneous stores, of which I was not aware till a gallant Officer told me that complaint had been made of so large an amount being asked with so little specification of details in the Estimate. Some of the particulars, however, I can state. Among the articles here included are various kind of metals, comprising copper, iron, and other materials necessary for store. But I will endeavour, before the Vote is again passed, to have all the particulars printed on a separate sheet. In this way a large sum has accumulated, and before the Vote is again taken I shall ascertain whether more information cannot be afforded in reference to it. I next come to a Vote of a very important character, namely, £123,500 for fortifications. It is most essential that some of these works, which have been sanctioned after long deliberation and much criticism, should be pushed on as rapidly as possible, and on that account we ask for some additional sums with which to expedite them. I need not now explain the general plan of the fortifications at Devonport, because it is not new, and has often been discussed in this House. We only propose to expend a larger amount this year to hasten on these works of defence. It is clear that if they are to be executed at all, they should be executed as speedily as possible. I take it that if England were attacked an unfinished fortification would be a much worse thing for us than none at all, because it would not only be incapable of defence in itself, but if taken by an enemy it might, perhaps, be easily turned against us. Then there is the case of Alderney. The item for that is very small, great progress having already been made with the work, and all that has now to be done being to complete the payments on Fort Touraille, and also for scarping some part of the island, which is now accessible, and can be made inaccessible by a simple process. Again, we have Portsmouth, where there are very extensive defences which have been for some time in course of construction, and large sums for which have already been voted by Parliament. Under this head items are included for the citadel, the Southsea line of defence, the Stokes Bay line between Fort Monkton and Fort Gomer, and also some additions on the eastern side of Portsmouth. By these works, and the additions to be made to them, which will be as much as the engineers are likely to get through during the year, we shall have at a future and I trust not distant period formidable means of defence. At Portland there is a necessity for carrying out works which have not yet stood upon the Estimates at all. Portland is one of the finest harbours in the world, and is at present utterly defenceless, and if an enemy were to take possession of the island of Portland, he would have facilities for establishing himself on that island, from which it would be extremely difficult to dislodge him. It so happens that the work there can now be executed very economically, and at a great advantage, because it is proposed to form a citadel on the island by scarping the rock, and the materials obtained in forming it will go at once into the sea, and will thus create part of the great breakwater. It is also proposed to guard the principal entrance into the harbour by a large tower at the end of the mole carrying eighty or ninety guns, with another similar battery on the south of Weymouth Point. Smaller batteries will also be constructed for the lesser entrances. These defences will be so strong as, I hope, to make it quite impossible that Portland should ever fall into the hands of an enemy. At Milford Haven it is only proposed to continue the works now in progress. Large guns are to be put on the principal islands within the haven, so as to guard the approach to the dockyard. At a future time it will be necessary there to build some works inland to the south of the harbour, in order to repel any attack that might be made on the land side at Tenby, or some other part of the coast; but that does not yet appear in the Estimates. There is one thing which I have omitted to state with regard to Portsmouth. It is, that the defences there are at the entrance of the Solent, while there are none at the entrance at Spithead, and there is a difficulty in making them. I wished to take a large sum to commence the works with at the Horse-shoal, as it is called, at Spithead, opposite St. Helen's; but it is impossible that any outlay can under present circumstances be made on this work. We have got a very accurate survey of the whole of this position, and experiments are now about to be made with regard to the nature of the soil. I believe Sir Charles Fox is to give his assistance, in order to ascertain where the best foundations are on which to place the batteries, or whether it will be more advisable to have recourse to floating defences. I attach the greatest importance to these works; but it is impossible to proceed with them until the ground has been most carefully and accurately examined. The next Vote is for civil buildings. This includes, first, the school of gunnery at Shoeburyness. The House will not, I am sure, grudge anything which improves the skill of the army, and renders that great arm, the artillery, more efficient; and this school is absolutely necessary to afford that branch of the service the means of practice. Then comes the Storekeeper's department at Woolwich; and here there is a new magazine to be built, which will be attended with great economy to the country. The powder is now kept in old men-of-war, which like all floating wooden structures are very expensive. The annual cost of the floating magazines at Woolwich is £3,092; but for a total outlay of £12,000 you will have a solid, substantial building, saving the charge for watchmen, &c., and obviating the inconvenience of conveying the powder backwards and forwards from the vessels. There are also some alterations to be made at Chatham, several rooms to be added to Fort Pitt, and the medical school at Chatham to be reconstituted. There is also a Vote for the salaries of the teachers of the last-named institution. The present practice in the Medical Department of the army is, when candidates are wanted for that service, to advertise for them, and those candidates are examined by three officers selected for the purpose, or as more frequently happens to be the case, by three officers who can most conveniently be obtained. Before the Royal Sanitary Commission, of which I had the honour to be chairman, we had the most clear evidence from Sir Benjamin Brodie and other men of the highest eminence that the existing system is entirely nugatory and theoretical; and so little confidence has the Medical Department reposed in its own examinations that it sends the successful candidates to Chatham to receive fresh instruction in the very branches of science in which they are supposed to have already provéd their proficiency. We wish to improve the system, first of all by adopting the plan pursued with great success by the East India Company, of having practised examiners, and afterwards, when the candidates who have passed go to Chatham, by teaching them not those general branches of medical knowledge which they can acquire at the civil schools much better than in the army schools, but only the specialties of army medical practice. Thus you will get the best young general practitioners from the civil schools, and will convert them at Chatham into excellent army medical officers. There they will learn the habits of troops and the diseases to which they are more particularly liable; they will learn how to treat gun-shot wounds and study all the precautions required by different climates, especially by that of India, against ill-health, besides many other things which I am sorry to say army practitioners have hitherto never been instructed in previously to having to deal with military patients. I have to thank my hon. and gallant Friend opposite (General Peel) for the manner in which he adopted the suggestions of the Royal Commission, and it only remains for me now to carry out the scheme, as the Committee see the Vote for this purpose is by no means extravagant. In Vote 14 a small sum is taken for contributions to a railway station, for the convenience of embarking and disembarking troops at Aldershot. There is also £1,500 for a rifle range at Hythe, and £17,000 for a rifle range at Chatham. The only other item is for the erection of huts in the Ionian Islands, which is rendered necessary by the inability of the barracks there to accommodate the increased garrison. Vote 15 relates to the subject which I have already explained—the Medical School. I have now gone through the whole of these Votes, and I trust have made them as clear to the House as I can. At the same time I must frankly confess that, most of the great manufacturing establishments to which I have had occasion to refer have come under the War Department since I was connected with it; the press of business has prevented me seeing them with my own eyes, and I am not so well acquainted with the details as I ought to be, and I have therefore to crave the indulgence of the House in this respect. I beg to conclude by moving the first Vote, £410,000 for the expenses of the embodied militia.

GENERAL PEEL: So far from having anything to complain of in the manner in which my right hon. Friend has introduced these Estimates, I have only to thank him for the very complimentary manner in which he spoke of my services in the War Department; and I should not have had a word to say, but that these Supplementary Estimates are almost precisely those which it would have been my duty to propose to the House had I remained in office. These Supplementary Estimates do not arise from any increase in the original Estimates which I had the honour of submitting at the early part of the year, but they are rendered necessary by the circumstances which have arisen since the original estimates were framed, and it is now in the power of the Committee, if they do not approve of the items, to disallow them. If, for instance, they do not think it necessary that the embodied militia should be retained, they have only to strike out that item, and the proposal will fall to the ground. I thought it was absolutely necessary to retain them, and I am glad to see the present Government are of the same opinion. I perfectly agree with my right hon. Friend that the embodied militia, as a general principle, ought to be counted only as part of our reserve; but, of course, they will be perfectly useless even in that capacity, unless they are well drilled, and I think it would be of great advantage if arrangements were made by which a large portion should be embodied by turns, so that every regiment may get a year's training in every five years. In that way you would render them much more efficient than by calling them out for twenty-one days every year. It is impossible that regiments so trained should be so efficient as those which have been embodied, and it is now acknowledged by the general commanding at Aldershot that most of our embodied militia regiments who have gone through this training are equal in efficiency to any regiment of the line. I also agree with the right hon. Gentleman that the state of the disembodied militia is not satisfactory. I expressed that opinion when I came into office, and one of the first things I did was to appoint a Commission to inquire into the reasons. I have not seen the Report of that Commission, but I believe it will be found that most of the regiments of disembodied militia are deficient in strength by at least one-third. I concur altogether in the testimony which the right hon. Gentleman has borne to the advantages of Aldershot Camp, and, so far from complaining of the expense, I think the country has cause to look upon the money expended there as very well spent. For defensive purposes it is the most beneficial outlay that has yet been made. The greatest advantage has been conferred by it on our Commissariat, Military Train and Medical Staff, and the system which has been adopted there of making the soldiers do everything for themselves has had the most beneficial effect upon their health. With respect to the Vote for fortifications, I observe that my right hon. Friend has adopted the same course that I myself proposed; and I wish the hon. Member for Lambeth to understand that the Vote is not an increase, but simply an advance for this year of Votes already sanctioned by Parliament. The Inspector General of Fortifications informed the Government that it would be a great advantage if a certain sum of money could be spent this year, and I thought it my duty to ask Parliament for it. Most of these items of expenditure have been occasioned by circumstances which have occurred since the original Estimates were framed. The additional number of line-of-battle ships built, and increase of the armaments of our great garrisons have made it necessary to increase the manufacture of stores at Woolwich; and, as it was discovered that the ammunition served out to the troops in India had been injured, the heat and damp having so affected the lubricating matter in the cartridges that the ball would no longer fit the rifles, all that ammunition has had to be withdrawn and fresh manufactured and sent out. We have also had to manufacture ammunition for the new Armstrong gun, for without ammunition of course the guns, would be useless. There is also a sum for the gunnery school at Shoeburyness, which is rendered necessary by our new ordnance, for, of course, without trained men our new guns would be of comparatively little service to us. That school will, I believe, be found of the utmost benefit to the country.

COLONEL P. HERBERT was of opinion that the only mode by which the occasional panic with which England was afflicted was to put the defences of the country into such a state as would inspire everybody with confidence. A little irritability with France now and then would be a small penalty to pay for putting our armaments into a perfect state of efficiency. It was no doubt very agreeable to find business was being transacted between the Secretary for War and the gallant General (General Peel) on such amicable terms. But he thought there could be no harm in questioning some of the very favourable statements that had been so pleasantly agreed on between them. One of these statements was that the number of men available for home service was 110,000. Now he had already shown that this force included recruits and many other men unavailable for the public service. On turning to the Votes already passed he found our infantry was put down at 62,200 rank and file, besides 5,600 Foot Guards, making a total of about 68,000 men. That 62,200 rank and file were, however, not in the country. They had to furnish all the garrisons from Hong Kong to Quebec, and from New Zealand to the Mediterranean. He believed he was within the mark in taking 30,000 men for these garrisons; which would leave only 38,000 for the defence of this country. The recruits at the Indian depôts might be added to that number, but they could not be relied upon to meet the disciplined troops of France; while it should be recollected that only a limited portion of the militia had been embodied for any considerable length of time. We had not the power, in fact, to bring a respectable force into the field, and he maintained that until we could do so, taking care always that at least one-half were troops of the line, justice would not be done either to the officers who commanded, to the troops themselves, or to the interests of a great country like this. He did not advocate extravagant Estimates, but he thought there was an increase wanted in the bone and sinew of the English army—the rank and file was the cheapest addition that could be made to the army. Again, as to the strength of individual regiments, he thought that the number of 950 men was sufficient neither for peace nor for war. It was expensive in peace, because the establishment of officers was out of proportion to the number of men; while in time of war each regiment could furnish only 800 men fit for duty. Even that number was exclusive of men employed on recruiting service. But, leaving it at 800 men, they could not be relied on to be sent abroad, as some portion of the men should be left at home to form a depôt. It was often urged as a good thing to have "skeleton" regiments. Skeleton regiments might do very well on the Continent, where no difficulty was found in filling them up when an emergency occurred; but the case was different in this country. On this subject he would mention an anecdote he had heard in Italy a few days before. Shortly before the war an Austrian regiment stood at 3,000 men. That regiment got orders for service, and it became necessary to increase the men. Well, what was done? Within eight days the rank and file of that regiment was increased to 6,000 men, and it came down to the gates of Vienna, waiting in arms to know what part of the empire it was to go to. Those new men were not mere recruits, such as we were forced to pick up in our fairs and market towns; they were all of them men who had served their two or three years in the service, and who had been sent home until called on to finish their full time of service. That was the system which was adopted, and could only be adopted in despotic countries. But he was not aware of any means by which in this country men could be so sent to their homes, and obliged to wait until again called on for active service. Therefore, in his opinion, the skeleton system was not adapted to this country. He hoped also that recourse would not again be had to the stop-gap system which was adopted during the Russian war; he meant the system of volunteering from one regiment to another. The consequence of that system was that one regiment was gutted of its men in order to bring another up to a war establishment and that the recruits who were sent out to join their regiments in the Crimea did not in many cases know how to load their muskets. The objections to the present mode of reinforcing the infantry were equally applicable to the cavalry. The yearly expense of the regiments as they now stood, including all ranks, was £26 per head, but by adopting the system that he recommended they could add men to the rank and file at rather less than £20 per head. In the one case they could get for a given sum of money 14,000 men added to the army, but in the other case about 20,000. The system of expansion might be perfectly well provided for by dividing the regiments into two wings and throwing the recruits upon them. They could add to their army much more rapidly by dividing one regiment of 1,200 men into two wings and adding recruits to it, than by raising a 2nd battalion upon a weak depôt. The regiments should have twelve companies of never less than 100 men each. The expense of adding to all the regiments in the manner he suggested would be about £400,000. The hon. and gallant General (General Peel) had alluded to some remarks made by an hon. Member (Mr. Baillie) early in the evening with respect to the embodied militia. His hon. Friend however did not object to an embodied militia, but to that militia being allowed longer than absolute necessity required to be a substitute for regular soldiers. An embodied militia cost as much as new regiments of the line.

SIR HARRY VERNEY thought it was to be regretted that we lost many of our soldiers just at the time that they had become efficient, and suggested that with the view of inducing the ten years' service men to remain in the army a small addition should be made to their pay. Those soldiers were the most healthy who were the most employed in garrison, and less crime was committed in those garrisons in which the men were well employed than in those in which they were idle. In the barracks in France the men themselves made almost every article of clothing that they required. Why could not the men in our own barracks be similarly employed? In every French company so many men were employed to cook, others to purchase food or other duties. The French soldier was taught to do everything for himself. Why should not our men be taught to do the same as far as practicable?

SIR FREDERICK SMITH said, the clothing and accoutrements in the French service were not made by each man for himself, but a company in each Regiment was employed for that purpose. In his opinion, with reference to our coast defences, he thought we did not act in a business-like manner with respect to them. The Estimates for the defences at Devonport were £320,000, but only £10,000 had been asked for this year. That appeared to be trifling with a very great subject. If these works of defence were needed at all why were they not undertaken boldly and at once? It was more injurious than beneficial to deal in a paltry way with great works. Then when all these defensive works now in contemplation were completed he wanted to know where the garrisons were to come from? He thought that there ought to be a Commission to settle what our defences ought to be, and to settle the matter once for all. There were two or three other items which he wished to notice. "For examination of sites of works of defence of St. Helen's passage." Now, he knew that five years ago Sir Charles Fox gave in a special plan for the foundation of the works, but what had been the cause of the delay he did not know. Then, as to Portland, the right hon. Gentleman had justly said that it was one of the finest harbours in the world, but it was a harbour without defence. Though he was not one of those who thought this country would be invaded by the French, he considered that they ought to put it in a state of defence. If they were to defend the country at all they ought not to leave a harbour like that without as much as a battery to protect it. No time was to be lost. It was the advanced post. It was opposite to Cherbourg, and it was the right wing of the navy as Dover was the left. Large works were proposed at Dover, and small sums were taken. No military man believed that if we were invaded it would be at Dover. There were abundance of places which would be preferred by an enemy, and yet they were laying out hundreds of thousands of pounds upon Dover, which would never be a point of attack. Having made these few observations, he should leave the Motion in the hands of the Committee.

GENERAL UPTON said, he understood the late Secretary for War to recommend that the regiments of militia should be embodied for one year, and that the training for twenty-one days should be dispensed with. His opinion was that no regiment of militia should be embodied for a less period than two years, and that the period of training of the disembodied militia should be increased to at least one month. His reason for considering the period of one year too short was, that no regiment could so learn its duties in that time as not to forget them. In a military point of view two years was the least period which he should recommend. He also thought that with respect to the officers, who had given up other occupations, they should be kept together for at least two years.

Colonel DUNNE said, there was a chorus of compliments to one another from Under Secretaries on the perfect state of defence and the perfect army which they asserted we possessed ; but if they mixed, as he did, with military men, they would have a very different opinion. Every man would allow, at least in theory, that if we were to have an army we ought to have it at the least possible expense. But we paid more for our 110,000 men than any nation in the world for its whole military force, and far more than was necessary. The system of administration was faulty. Generally men were appointed to preside over the war departments who were not military men and who knew nothing about the army. They had lately had a general officer as Secretary for War, and praise was justly due to that gallant Gentleman ; but if he possessed twice the powers of mind and twice the physical powers which he did he would defy him to perform all the duties which devolved upon him. He could not be responsible for half that was to be done. The Ordnance and half-a-dozen offices had been abolished, an admirable system had been broken up ; it had not been replaced by any system whatever ; a civilian, ignorant of military matters, was placed at the head of this confused and over-loaded Department, and the persons who assisted the Secretary knew nothing of soldiers' wants and requirements. There was a statement of the force on paper which every military man knew was not available. There was a great difference between the number of men on the muster roll and the number of men who could take the field. He believed that with all our expenditure of £10,000,000 or £11,000,000, it would be impossible to concentrate on any part of the island more than 30,000 men in case of emergency. He also thought it wrong that the military departments, beyond a limited extent, should become manufacturers. The system of small manufactories might be justified, but large establishments were a great error in a country where the work could be equally well done by private enterprize. They had 28,000 militiamen effective, and they were a better class of men physically than even the men at present enlisted in the line. But they were obtained at the expense of the line, and the Secretary of State for War must know that there was a large number, from 4 to 6,000 wanting to complete the regiments of that service. They might vote as much money as they chose, but they did not get the men. Thus they were much under the nominal strength. And what were the line regiments recruited with, if not with boys not half formed ? The system of recruiting was also, he thought, defective, because they had several different establishments for recruiting, which, by competition, defeated the object. They had the ordinary recruiting establishment, then the militia staff, and finally the pensioner staff, each bidding against one another for recruits and often in the same town. With respect to our fortifications, he should only say that the highest authorities pronounced them to be comparatively useless while left in the unfinished state they are at present. A work, which it was estimated would cost £200,000, was sometimes adopted by the House, while there was annually voted for its completion perhaps only £20,000, or even £10,000: what a time, then, must it take to finish such a work, and during that time it could not be considered a useful defence. Why not, if these defences were to be made, finish them at once ? He found that the Chancellor of the Exchequer had not forgotten to extend the income tax to Ireland, but it seemed the Government did not attach much importance to the defence of that country or repose unbounded confidence in the loyalty and warlike ambition of the Irish, for he did not find in these Estimates a single shilling voted for Ireland, yet in Ireland many of the forts were fast going to decay. He should, therefore, recommend the Government seriously to direct their attention to the defences of the country. There were several other topics to which he should wish to advert, but at that late period of the night (a quarter to 12 o'clock) he should abstain from trespassing at greater length on the time of the Committee.

Mr. MONSELL thought the observations of his hon. and Gallant Friend (Colonel Dunne) must apply to the state of things which prevailed when he had been connected with the Ordnance Office, rather than to that which at present existed. He had, at all events, made statements in reference to the manufacturing department, which by no means tallied with his (Mr. Monsell's) experience. He, under those circumstances, wished to ask his right hon. Friend the Secretary for War whether, in the principal manufacturing departments for small arms, only one stock arm—the Minié rifle—was made? and whether it was the fact that the influence of their manufacture on the trade generally was such that the Minié rifles made in the Enfield factory were purchased at a lower proportionate rate than those which were obtained by contract? If that were so, that disposed of some of the objections of the hon. and gallant Officer Colonel Dunne. Then, as to Alderney, after expending £190,000 upon the fortifications of Alderney, besides £10,000 upon the citadel, it had been said that there was a hill in the neighbourhood which commanded the works and he should like to hear if any statement had been made on the subject by any official personage. Again, it was said that much money had been expended on the works at Gibraltar and Malta, which, he believed, had been carried out through the recommendations of a Commission sent out by General Peel. He would further ask upon whose authority the right hon. Gentleman relied for the construction of fortresses? The Director General of Ordnance was formerly the official adviser in these matters; but that office had now been abolished, and it was therefore desirable to know on what authority the Government proceeded.

COLONEL GILPIN said, he willingly bore testimony to the success by which the erection of a camp at Aldershot had been attended—a success which was, he must say, to a great extent attributable to the gallant officer who filled the post of commandant, notwithstanding that observations depreciatory of his merits had found their way into the public prints. It was owing to the exertions of that gallant officer that the raw levies which had been sent to the camp had been so soon transformed into well-disciplined soldiers, and that the review which had taken place there a few days ago was as perfect as anything of the kind could be expected to be. His object in rising, however, was not so much to bear testimony to the success of Aldershot as to put a question to the Government with respect to the disallowance of forage to a certain extent to the officers of Militia and Staff generally. The sum originally allowed for the keep of a horse to particular officers was 2*s.* a day, but that allowance had since been reduced to 1*s.* 6*d.* Great complaint, however, was occasioned by the reduction, and the amount allowed had subsequently been raised to 1*s.* 10*d.* Now, he believed the forage contract for the whole army was at the rate of 1*s.* 9*d.* a day; and if that were so, he should like to know how the sum he had mentioned could be supposed to be adequate in the case of the officers to whom he referred?

MAJOR STUART complained of the inadequate accommodation of the barracks at Dover and the want of a school-house there?

GENERAL PEEL hoped he would be allowed to answer the question put by the hon. and gallant Member for Bedfordshire (Colonel Gilpin) with respect to the forage for horses. There was 1*s.* 6*d.* a day allowed for forage, with the addition of 6*d.* for the stable to those officers who had no stables. Those who had stables had been, however, receiving 2*s.* a day likewise. Finding that the latter were receiving more than they were entitled to, the allowance to such officers was reduced to 1*s.* 6*d.* It having been represented to him that that sum was insufficient, he added 25 per cent to the contract price, which made it 1*s.* 10*d.* Those who had not stables received 6*d.* in addition, which made the allowance to them 2*s.* 4*d.* In respect to the school near Dover, the hon. Gentleman would find that there was a Vote taken for it in the general Estimates.

SIR MORTON PETO wished to call attention to the want of harmony in our military arrangements, which operated as a great impediment in the Administration of the War Department. During the Crimean war, when the attention of every one was directed to the efficiency of the service, he paid a visit to one of the camps in this country, and found that though the huts were erected the means of access to the camp by roads were quite neglected. The next thing which struck him was the fact that a regiment of cavalry was ordered there, although there was not a stable to receive the horses. Such an oversight could not arise if proper communication was maintained between the different departments. He paid a visit to the camp at Shorncliffe last week, and although it had been established four or five years there had been no drainage whatever, and it was only now that they were laying down pipe-drains, although any person with the slightest knowledge or foresight would have done so before he began to build. The House was now voting money without stint for the two services, but unless these practical questions were grappled with there would never be that efficient direction of affairs which would be necessary upon any emergency. Now, his engagements upon public works in Sardinia had led him to observe the admirable administration of the French army during the war just happily ended, and anything more opposite to our Crimean experiences he could not conceive. The reports of his agents and the result of his own observation showed that the administration of the French army was characterized by just that sort of concert and forethought which would be displayed by any mercantile firm; and unless our military authorities would put aside the routine which only enabled them to walk in a certain track, and unless they would deal in a businesslike way with the questions which came before them, depend upon it when another time of crisis came there would be the same difficulties and the same disasters as were experienced in the Crimea. He recollected perfectly well that during the Russian war a member of the Government who went on board of one of the steamers going out to the East for the formation of the Balaklava railway inquired the use of a quantity of tarpauling that was on board. When told that it was quite impossible to have huts ready for the use of the large number of workmen directly on landing, and that the tarpauling was therefore allotted among them so that they might at once have shelter while their huts were building, it was thought an admirable arrangement, and he (Sir Morton Peto) was asked if it was possible to make the same provision for the army. His reply was that as his influence with the railway companies would give him the command of all their stores, he would undertake to provide any quantity during the next two or three days. Immediate application was accordingly made to the War and Ordnance Departments; but they were referred to the Tower, and it was found so impossible to get through the routine which was interposed that he went to the Duke of Newcastle and asked him to break through this routine, the result of which was that a great quantity of tarpaulings was sent out. In making these observations he did not intend to impeach the conduct of this or any Government, but there was evidently a great fault somewhere in our military organization, and he repeated that unless the authorities transacted their business in the simple and practical manner of mercantile firms, their administration, when another emergency arose, would be found as much wanting as it was in the Crimea.

Colonel NORTH said, the hon. Baronet's praise of the French military organization was perfectly well deserved; but was not the perfection of that system due to the fact that the office of Minister of War was always held by one of their most distinguished military commanders. He did not refer to his right hon. Friend, because under no Administration had the army benefited more largely than under his. But according to our system the army, generally speaking, was in the hands of men who probably did not know whether a soldier wore his pouch over his left shoulder or his right. In this country, where the War Secretary must be in Parliament, it might be difficult to carry out such a system; but he believed that the reason the French and Sardinian armies were in so efficient a condition was because those armies were administered by officers of experience and distinction, and not as in England by civilians, who knew nothing of the feelings and the prejudices of the soldier.

Sir MORTON PETO said, that nothing could be more lamentable than the administration of the army during the Crimean war—the horses eating off each other's tails, while there was plenty of hay on board the ships in Balaclava harbour. He was sorry to see distinguished persons, who had served their country with great distinction, rising up in that House and making alarming speeches about the intentions of the Emperor of the French. He thought we should do well to imitate the administrative ability of our powerful neighbour, and put the country at once into an efficient state of defence without talking so much about it.

Mr. SIDNEY HERBERT said, the gallant Officer opposite (Colonel Herbert), who observed that the whole of the force which the War Department enumerated as being in England was not directly available. He was ready to admit there was some truth in that statement, and that the men composing depôts could not be reckoned on the same footing of efficiency as trained men serving in battalions of the line. As to the remark of the gallant Officer that the constitution of the battalions had been altered for the worse, there were now 950 men in the battalions, and nothing was so easy as to augment the number at a comparatively small cost, should circumstances render such an increase desirable. Again, it had been said we were losing the ten years' men. It was not, however, the fact that we were losing them from any unwillingness to re-enlist them. He might be permitted to say that some years ago, when in office, he proposed to constitute a reserve of such of those ten years' men as did not wish to continue in the service, by offering them some annual payment. Circumstances prevented that arrangement being carried out, and during the war the Government exercised the power of continuing the service of the men beyond the ten years. The result had been to give rather an additional inclination to the ten years men to leave the service than to continue in it. A measure, however, was now under consideration by which the Government hoped to be able to secure the services of those men. With respect to the complaint as to the number of manufactories carried on by the Government, he admitted that he himself had a bias against those establishments, for it was asserted that in many of the departments in which the Government were their own manufacturers they could get contracts from the trade at a cheaper rate, but at the same time no doubt that cheaper rate was obtained by the check which the Government manufactories had upon the private establishments. In particular branches of manufacture where there was no civil demand running concurrently with that of the Government it might be advantageous to have recourse to a Government establishment. He would remind the hon. and gallant Member for Queen's County (Colonel Dunne) with a view to correct a misapprehension he appeared to be under, that our army was scattered all over the world, that we had 90,000 in India, for instance; and, of course, there must be a certain interval between the creation and supply of vacancies, but there was not so great a deficiency in the number of effective men as the hon. and gallant Member seemed to suppose. The Parliamentary Vote was for 229,000 men in round numbers. We had got 220,000 as the number of effective men, and considering how large a part of the army was employed in our distant possessions, he did not think 9,000 men constituted a very great deficiency. His hon. friend (Sir M. Peto) had referred the Committee to the Crimean war; but he thought it was not quite fair to refer for examples to a system excessively cumbrous in itself, and which had grown rusty, against one that had entirely supplanted it. The various departments of the army were not then under one head, and there was no doubt that the system was inapplicable to the purposes of war. It might be true that our existing system was faulty; but if it was faulty, he was ready to learn, and, having learnt, he should be ready to propose the necessary changes. He advised the Committee to lose no time in getting the best information they could from the most competent witnesses to enable them to come to a practical conclusion as to the best organization of the War Department. He had recently served on a Commission which had visited many of the barrack establishments in England and Ireland, and he might say he was almost appalled at the amount of work to be done in order to place them on a satisfactory footing. They were not only deserving but having the most earnest attention of the Government, and he hoped he might count upon the support and assistance of the House in carrying the work forward to completion. He trusted the Committee would now allow the first Vote to be taken.

CAPTAIN LEICESTER VERNON said, he wished to draw attention to one great fact—that they were about to vote £12,000,000 upon the Army Estimates, and out of that large sum only £3,500,000 went towards the fighting men. The whole of the rest went to the Staff and such like, and thus the mere fighting men only received 1-27th of the whole. The home Staff cost £131,951; the foreign Staff, £180,326; the total Staff, £312,287. The department of the Secretary of War cost £101,000; of the Commander-in-Chief, £185,000. The supplemental Staff cost £4,241 for services which could be just as well performed by the district Staff. He could point out a good many Staff appointments that were not very useful, and he trusted that the Secretary for War would look into this subject, and endeavour to reduce the enormous expenses of the Staff of the army.

Vote *agreed to*, as were the following:—

(8.) £108,375. Wages of Artificers, Labourers, &c.

(9.) £300,000. Clothing and Necessaries.

(10.) £93,180. Provisions, Forage, &c.
House resumed.

Resolutions to be *reported To-morrow.*

CRIMINAL JUSTICE, MIDDLESEX (ASSISTANT JUDGE) BILL.

COMMITTEE.

Order for Committee read.

MR. CRAUFURD moved as an Instruction to the Committee that they should have power to extend the provisions of the Bill to all persons holding judicial appointments in the United Kingdom. His object was to raise the question generally of the advisability of all persons holding judicial appointments giving up their practice at the bar. The original proposal was, that the Government should pay this additional salary to the Assistant Judge, but now it was provided that it should be paid out of the county rates. It was the magistrates of the county who sought the increase of salary as long as it was paid out of the public funds; but now that it was proposed to pay the sum out of the funds of the county of Middlesex they objected, and sought to strike the clause out of the Bill. If that was done the Assistant Judge would be deprived of his practice, and only have the lower salary. He objected to legislation for this particular case. They ought to at once legislate on some broad and general principle, applicable to all persons holding similar judicial appointments.

Motion made, and Question proposed,—

"That it be an Instruction to the Committee that they have power to extend the provisions of the Bill to all persons holding judicial appointments in the United Kingdom."

SIR GEORGE LEWIS said, that no practical benefit would arise from this Amendment. Under the late Judge inconvenience sometimes arose from his being at liberty at the same time to practise at the bar. It was now proposed that if the magistrates granted £300 additional to the salary of Assistant Judge, he should be debarred from private practice. The Bill was limited to the single object, of raising the salary of the Assistant Judge of Middlesex on the condition of his relinquishing his private practice, and the general question of relinquishment of private practice by judicial officers was not raised by it. The hon. and learned Gentleman sought to engraft upon the Bill a wholly new principle. Under such a regulation recorders in England, assistant barristers in Ireland, and sheriffs in Scotland would be prevented from practising as they at present could do. He hoped the House would not adopt the proposition of the hon. Gentleman.

Motion put, and *negatived.*

MR. CRAUFURD moved, that the Committee be postponed for three months, and, in reply to the observations of the Home Secretary, said, that County Court Judges were prohibited from private practice.

No hon. Member having seconded the Amendment,

House in Committee.

Clause 1. (The Justices of Middlesex may grant £300 a year out of the County Rates as an addition to the Salary of the Assistant Judge.)

MR. BYNG moved the omission of the clause and stated that he did so in accordance with the views of the magistrates of Middlesex, who thought that the additional £300 proposed by the clause to be given to the Assistant Judge ought not to be paid out of the county rates.

SIR GEORGE LEWIS reminded the hon. Gentleman that the clause was permissive not compulsory. If the magistrates believed as they had represented to the Government, that it was an injury to the public that the Assistant Judge should be allowed to retain his private practice they would pay him the £300; but if on the other hand, they did not think so, then they would not pay it. It was for them to consider whether the evil arising from the Judge continuing to practise was or was not equivalent to £300 a year.

MR. W. WILLIAMS said, he did not oppose the Bill now as the additional salary was not to be charged upon the Consolidated Fund; but whenever any proposal should be made to the magistrates of Middlesex to increase the salary of the Assistant Judge he, as one of them, should oppose it.

SIR JOHN SHELLEY thought the public interest was rather lost sight of. If it was an evil that the Judge should practise at the bar, that evil would continue if the magistrates did not choose to pay £300 a year from the county rates. He thought eligible persons could have been found to fill the office with the present salary and who would consent to give up their private practice.

SIR WILLIAM JOLLIFFE observed that the salary of the Assistant Judge had always been paid by the Government. It was admitted that his continuing to practise was a great public inconvenience, and the question was whether a salary of £1,200 a year was sufficient to obtain a competent man; if it was not, the Government ought to pay whatever was sufficient.

SIR GEORGE LEWIS said, this was not a gratuitous proposition of his. The present holder of the office, Mr. Bodkin, accepted it on a distinct promise from the late Government that if debarred from private practice he should receive a salary of £1,500 a year.

MR. CRAUFURD opposed the contract because it was entered into without the authority of the House.

Question put, "That the Clause stand part of the Bill."

The Committee *divided*:—Ayes 167; Noes 33: Majority 134.

Clause *agreed to*, as were the remaining clauses.

MR. E. P. BOUVERIE, on the question that the Preamble be agreed to, moved a Clause.

"That so soon as the present Assistant Judge shall cease to hold his office as such Judge, the 10th Section of the said Act shall be repealed so far as relates to the salary of any future Assistant Judge; and it shall then be lawful for the said Justices, in Sessions as aforesaid, to resolve that an annual salary of not less than £1,200 and not exceeding £1,500 in the whole, be paid to the Assistant Judge of the said Court; and thereafter such Judge shall not practise as a Barrister nor hold any other office, during his tenure of such Assistant Judgeship; and such salary shall be paid by equal quarterly payments out of the County Rates of the said County, with a due appointment thereof in the case of the death or resignation of the Assistant Judge for the time being during the currency of any quarter."

Clause *brought up* and read 1°.

Question proposed "That the said Clause be read 2°."

MR. BYNG suggested that if the county paid, the county should have the power of appointing. At present the Government appointed.

SIR GEORGE LEWIS admitted the justice of the proposal, but as the practice had been in existence some years, he felt some difficulty as to the course he should adopt. Middlesex stood in a peculiar position. First this court had a large share of criminal business; and secondly the Court of Quarter Sessions had concurrent jurisdiction with the Central Criminal Court. The Recorder and Common Serjeant received high salaries, and their time was not fully occupied; but if an arrangement between the Judges and the Assistant Judge of the Quarter Sessions for a better division of the business, and economising the time, could be made, it would be desirable. He hoped his right hon. Friend would not press his clause.

MR. EDWIN JAMES thought it better that the Bill should be withdrawn. The Chairman of the Surrey Quarter Sessions, who had concurrent jurisdiction with the Central Criminal Court, tried almost as many cases as the Chairman of the Middlesex Court of Quarter Sessions, and yet he received no salary at all.

VISCOUNT DUNCAN hoped his hon. Friend would press the clause.

MR. AYRTON said, the Bill was presented to the House in an extremely crude form, and he moved that the chairman report progress.

LORD JOHN MANNERS said, the Bill proposed by the late Government on this subject was, at any rate, consistent and intelligible, but the present Bill did not seem to find favour with any section of the House. He, therefore, joined in the recommendation that it should be withdrawn.

SIR GEORGE LEWIS observed, that the measure had been deemed so far satisfactory that it had been passed with almost unanimous consent, and the present discussion arose upon a clause proposed by the right hon. Member for Kilmarnock, which did not deal precisely with the subject-matter of the Bill, but which would have a prospective effect. If the House thought fit virtually to repeal the Act of 1844, by which the salary of £1,200 a year was charged upon the Consolidated Fund, he could have no objection.

SIR WILLIAM JOLLIFFE thought the Bill ought to be withdrawn.

MR. HENLEY, approving the first portion of the right hon. Gentleman's proposition, the object of which was to remove the charge of the salary from the Consolidated Fund, recommended him to withdraw the latter portion of the clause, and so confine the clause to the prospective repeal of the 10th clause of the Act.

MR. E. P. BOUVERIE expressed his readiness to assent to the suggestion.

MR. AYRTON said, as the question was one of great importance, and could not be satisfactorily settled at that hour, he would press the Motion that the Chairman leave the Chair.

Motion made, and Question put, "That the Chairman do now leave the Chair."

The Committee *divided*:—Ayes 23; Noes 141: Majority 118.

MR. AYRTON said, the House must either discuss the question or adjourn it.

One course or the other must be taken. The question should be considered as one of justice to the whole country, and then it would be seen that it would not be just to transfer the charge from the Consolidated Fund to the county of Middlesex. He objected to this isolated metropolitan question being now determined; and he hoped the other measure connected with the metropolis would be withdrawn for the present, and that the whole broad subject would be fully considered in the next Session. He asked the House, was it a decent thing at that time of the night (past two after midnight) to persist in considering this subject piecemeal ?

Clause, as amended, *agreed to.*

Preamble *agreed to.*

House resumed.

Bill *reported.*

POOR LAW BOARDS (PAYMENT OF DEBTS) BILL.—COMMITTEE.

Order for Committee read.

Mr. C. P. VILLIERS moved that this Bill be referred to a Select Committee.

Motion made and Question proposed, "That the Bill be committed to a Select Committee."

Mr. WALTER said, it was too late at that hour (past two o'clock) to discuss this question, and if the Motion were pressed he should move the adjournment of the debate. If the measure was to be referred to a Select Committee, it was important to determine what parts of it were to be made the subject of inquiry. He decidedly objected to all the clauses which would have a retrospective action.

Sir GEORGE LEWIS said, it would be in the power of the Select Committee to amend or even entirely to remodel the Bill.

Mr. JOHN LOCKE condemned the measure as vicious in principle, and opposed its being sent to a Select Committee.

Mr. HENLEY thought the question ought to be discussed by the House, before they were asked to refer it to a Committee.

Lord JOHN MANNERS did not oppose the measure, but to think of discussing it at that hour was absurd.

Mr. EDWIN JAMES denounced the second clause of the Bill.

Viscount PALMERSTON assented to the adjournment of the Debate till to-morrow.

Debate *adjourned* till *To-morrow.*

The House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, July 15, 1859.

Minutes.] *Took the Oath.*—The Lord Ashburton.
Public Bills.—1ª Admiralty Court.
2ª Clerk of the Council.

RIOTS AT KINSALE.—QUESTION.

The Marquess of CLANRICARDE wished to know whether his noble Friend the Under Secretary for War had received any information with reference to a gross outrage stated in the newspapers to have been committed by a regiment of the Antrim Militia on the inhabitants of Kinsale. It was stated that, by way of celebrating the 12th of July, they got themselves into a state of intoxication, and in that condition committed very serious outrages. One of the statements he had seen was that on the Sunday night and on the Monday indications of disorder were shown by the men, and that the officers commanding the regiment were so much prepared for a disturbance taking place that they ordered the regiment to be confined to their barracks on the 12th of July. But the men broke out, and proceeded to demolish windows, attack the people, and commit such acts of disorder as were utterly disgraceful. He did not think it was necessary to call the attention of Parliament to every military disturbance that took place ; but here was a regiment the officers of which were said to be cognizant of the spirit that animated their men, and he maintained that if the allegations turned out to be true the regiment should be disbanded. They had hurt the feelings, injured the property, and attacked the persons of the Roman Catholic subjects of the Queen in that town, if they did not actually commit murder. According to one account a Roman Catholic chapel had been attacked and a Roman Catholic clergyman in delicate health set upon in the street by these men, who if the statements were true might well be termed miscreants ; and had they not been repulsed by a strong body of the people no one could say to what extremities they might have proceeded. He did not say all this merely on newspaper authority, for it was a fact that there had been brought to Kinsale 200 Horse Artillery and a troop of the Scots Greys. A picket of sixty or seventy men had been sent to quell the riot, but instead of doing so they joined the rioters and turned the tide of victory in their favour. He must say that if any portion of the militia were to be embodied it ought not to be men animated by such feelings as were evidenced by these gross outrages. He wished to know whether his noble Friend had received any information about this affair, and whether any steps had been taken respecting it.

THE EARL OF RIPON was sorry to say that so far as information had reached the Government he had to confirm the statement of his noble Friend that there had been a disturbance in the town of Kinsale on the 12th of July, arising out of a contest between the militia and the inhabitants. In the present imperfect state of the information which the Government had received it was impossible for him to give any opinion as to the facts of the case, or as to the origin of this unfortunate proceeding. He might state, however, that the most active measures had been taken by Major-General Eden, the officer commanding the district, for the suppression of the disturbance. At half-past ten in the evening he was informed that a military riot had broken out in Kinsale; by twelve a troop of dragoons was sent from Cork to that town, and by half-past five in the morning General Eden himself was on the spot. When he arrived he found the disturbance at an end; but, seeing that a strong feeling existed against the militia in the town, he thought it his duty to remove them, and by seven in the morning of the 13th they were on their way to Cork, where they now were. Lord Seaton, the General commanding in Ireland, had ordered a strict and impartial inquiry to be made into all the circumstances of the case, and the Government were satisfied that the whole matter would be sifted to the bottom. Should the facts turn out to be such as had been described in the newspapers, and he trusted they would not, his noble Friend would have no reason to complain of the want of justice being done.

AFFAIRS OF ITALY.

MOTION FOR PAPERS.

EARL GRANVILLE: My Lords, your Lordships are aware that the noble Earl opposite (the Earl of Malmesbury) has given notice to-night of his intention to move for two Circulars signed by Count Çavour, dated the 14th and 16th June, respectively, if communicated to Her Majesty's Government; also, for Count Cavour's Reply to the Despatch of the noble Earl to Sir James Hudson, dated June 7. The noble Marquess on the cross benches (the Marquess of Normanby) has also given notice to move for a Copy of a Despatch from Lord John Russell to Sir James Hudson on the Subject of the alleged Annexation of the Duchies of Central Italy by the Government of Piedmont. Your Lordships are aware that, since these notices were given circumstances have arisen which have led to the signing of preliminaries of peace; and if the noble Earl takes this opportunity of making his Motion, which must be followed by a discussion in your Lordships' House, it might possibly interfere with the arrangements that are now being made to establish the peace of Europe. I therefore beg to suggest to the noble Earl, although I am not in possession of his views, that it would be expedient for him not to press his Motion at the present moment, and I would address the same advice to my noble Friend on the cross benches. Her Majesty's Government is not at present in possession of any information which will enable it to enter into an explanation of what has occurred between the two Emperors, nor will it be in full possession of a great many points until the return of the Emperor of the French to Paris. I therefore think that your Lordships are not in possession of the necessary information which will enable you to discuss the question with advantage, and I beg to suggest to the noble Earl and the noble Marquess whether it would not be better to postpone the Motions for the present.

THE EARL OF MALMESBURY: My Lords, I certainly feel that there are moments when discussions upon foreign affairs in this House are anything but desirable, and, if my noble Friend thinks that it would at the present moment be inconvenient for me to make the observations which I intended to make upon this subject, I shall have no hesitation in withdrawing my Motion and postponing my remarks to another time. At the same time there are some of those observations—relating to the future fate of the Duchy of Parma — from which I apprehend that no inconvenience can arise. The firmness and dignity with which the Duchess of Parma contended with the difficulties with which she was encompassed has attracted the admiration of all. I know her to be the most popular, and I believe her to be the most deserving of Italian Sovereigns, and it would be an act of great injustice to her, and would read a very bad lesson of morality to the political world, if she were not reinstated, supposing her people wish her to be reinstated, in her Sovereignty. Just before Her Majesty's Government left office I was induced to make an appeal to the Sardinian Government in favour of maintaining the neutrality of the dominions of that Princess. I have seen in the newspapers an answer, supposed to have been addressed by Count Cavour to Her Majesty's present Government, in which statements are made with not one of which I can agree. Did I not apprehend that if I went deeply into the subject some discussion might arise upon the affairs of Italy generally, I should be prepared to meet those statements one by one, and to refute each and all of them by a reference to dates and by documentary evidence. It is, however, perhaps the less important for me to do so because I hear that the Minister who signed that reply, and who has also published two circulars bearing upon the same subject, containing, as I believe, equally unfounded statements, has given in his resignation, and is no longer a Minister of the King of Sardinia. I shall, therefore, say no more upon the subject at present than to protest against the statements made by Count Cavour in those circulars and in that reply to my despatch, and shall defer to a future period any further discussion of this matter which I may think necessary. It is possible that I may not again have an opportunity of addressing your Lordships upon foreign affairs during the present Session, and while I willingly accede to the request which has been made by my noble Friend opposite, I am sure that he will not misunderstand me when I say that, speaking abstractedly, I think it is not so inconvenient as some of your Lordships appear to imagine that this House should, even at moments which are considered critical, enter upon the discussion of foreign affairs. When I was a Minister and responsible for the direction of foreign affairs I felt that I should have been spared many misrepresentations if I had had the opportunity of explaining in this House the policy of Her Majesty's Government. It is also, I think, far from disadvantageous that the Government should from time to time feel the pulse of this House and of the country upon foreign affairs as well as with reference to our domestic concerns. How far this should go must always be a question of discretion; but I am convinced that my noble Friend opposite feels the force of what I say, that to a certain extent he entertains the same opinion, and that he would not ask me to postpone my Motion, which would certainly have produced a general discussion of this important question, did he not feel convinced that such a debate would be attended with public inconvenience. I trust, however, that before Parliament separates a discussion of the kind will take place, in order that, on the one hand, Her Majesty's Government may ascertain what is the feeling of the country, and on the other the country may learn what is the opinion of Her Majesty's Government. There is neutrality in peace as well as in war, and it will be of great consequence that before the prorogation of Parliament, and the withdrawal of its control for five or six months, the country should understand in what direction and how far Her Majesty's Government are prepared to interfere in the settlement of European affairs.

THE MARQUESS OF NORMANBY said, that as he understood there would be no objection to the production of the despatch for which he intended to move, he would state in a few words that his object was to put on record that he had found with great satisfaction that the language held by Her Majesty's Government had been that of distinct discouragement of that system of annexation which had during the war been carried to so audacious an extent by the late Minister of Sardinia. He had no objection to postpone the observations which he desired to make upon the conduct of Count Cavour—conduct which, although that Minister had ceased to have any share in the Government of Sardinia, could not for ever pass unnoticed. His despatches contained more of the *suppressio veri* than he (the Marquess of Normanby) ever found in any other documents of a similar nature. It would have been highly satisfactory to him to have been able to show how well the Duchess of Parma had acted throughout these transactions, and how completely without justification was the conduct of the Sardinian Government. He recollected the state in which she found the Duchy of Parma, and had had recent knowledge of the state in which she left it; and he must say, looking both to her conduct with reference to her son's interest, and the attention which she had paid to the welfare of her people, there was no act which would be more deserving of opprobrium than any attempt to dispossess her of the States which she held in the name of her son, and which were settled on him and his heirs.

EARL GRANVILLE said, he desired not to be misunderstood and therefore wished to offer a word in explanation. He was much obliged to the noble Earl and the noble Marquess for the course they had taken. He did not, however, wish it to be supposed that he considered it undesirable, as a general rule, to discuss questions of foreign policy in their Lordships' House; on the contrary, there were occasions when such discussions were of advantage. There were, however, occasions on which such debates might be attended with inconvenience. This, he thought, was peculiary one of those cases, and it had the additional disadvantage, that if the House went into any debate it would be discussing a subject on which they had only the most imperfect information.

THE MARQUESS OF CLANRICARDE thought that of late years there had been too much reticence in Parliament, and that upon at least one occasion more complete discussion would have prevented war. He did not think that since Parliament met anything could have been done which would have prevented the war, and for that reason, and that reason alone, he had kept silence. He could not however keep silent after the mention which had been made by the noble Earl of the name of that great man — for so he must call him — Count Cavour. The noble Earl was guarded in his expressions, but it was impossible not to infer that he viewed the retirement of that statesman from office at least without regret. Having gone through the despatches, it was his opinion that no minister of any country came out of the transaction so well as Count Cavour. He might have been indiscreet at times, but he was animated by lofty and patriotic views which were well worthy of their Lordships' consideration. He, for one, sincerely regretted Count Cavour's retirement. He hoped that when further information was received there would be a full discussion on the subject in both Houses.

LORD BROUGHAM: My noble Friend opposite informs us that Her Majesty's Government are entirely ignorant of the circumstances which have led to this peace and of the terms of it; it appears, too, that the Ministers of the Emperor of the French and of the Emperor of Austria are in the same predicament. All three sets of Ministers are equally ignorant of the terms and intention of this peace. The two Sovereigns have carried on the business themselves, without the intervention of their Ministers. It is a degree—I must not say of despotism, I suppose, because one must not use harsh language, but of unlimited monarchy such as has never been known before in France, except during a short period of the reign of the First Emperor; and even then there was more communication with the Ministers than appears to be the case now. I understand that Count Walewski, the French Minister for Foreign Affairs, received his first and only intimation of this peace from Her Majesty the Empress, who was informed of it by a despatch from her Imperial husband. It is a most melancholy thing [*a laugh*]—I repeat the observation, and those who laugh have not attended to the scope of what I have been saying—it is a most melancholy thing to have the fate of Europe, the question of peace or war, depending upon the will of Sovereigns who have such absolute power that they are entirely uncontrolled, not only by a Parliament, by the press, or by any kind of public discussion, but even by that moderate degree of influence which is exercised by their Ministers. The consequence is, that we have no kind of security at any moment for the continuance of peace, the observance of treaties, or for any one arrangement which may from day to day be announced. All depends upon—I must not say the caprice, for I suppose there is no such thing as caprice in these high quarters, but on the arbitrary will of a single individual. It is so in Russia, France, Austria, and, I suppose, it is so in Sardinia also, unless they restore the constitution suspended at the beginning of this execrable war—for by no other name can I call it—a war commenced on false pretences, not one single avowed and boasted object of which has been gained by the success which has attended it. As we have had, happily, no hand in the war, so have we, happily, no hand now in the peace; and I congratulate my noble Friends that their Government is wholly irresponsible for the terms of this extraordinary arrangement, which is now the wonder of the world.

THE EARL OF DERBY: The noble Earl opposite has told us that peace has been concluded between Austria and France, and also that he is entirely unaware of what the circumstances are which preceded that peace or what are its terms, and he very properly, therefore, deprecates any discussion on the matter at present. But I understood that when France entered on this war it was as an ally of Sardinia—as a subsidiary, not as a principal. I wish, therefore, to ask my noble Friend this question, has he, along with the news of the conclusion of a peace between Austria and France, received any intimation whether peace has been concluded between Austria and Sardinia?

EARL GRANVILLE: As yet all we know is that a convention has been drawn up between the Emperors of Austria and France, of the terms of which we are ignorant, and that convention is to be followed by a treaty of peace; but beyond this I am unable to supply further details.

THE MARQUESS OF NORMANBY said, that it would perhaps be better that he should move in due form for the production of the despatch of Lord John Russell to Sir James Hudson on the subject of the annexation of the duchies of Central Italy to the kingdom of Sardinia. With regard to the panegyric on Count Cavour which the noble Marquess near him (the Marquess of Clanricarde) had given notice of his intention to pronounce at some future time, when that came on he should be prepared to state the reasons why he had formed a different opinion of that statesman's public conduct.

LORD EBURY said, he did not doubt that Count Cavor would be able to defend himself. The noble Earl opposite (the Earl of Malmesbury) had spoken of a neutrality in peace as well as in war. He wished to know if the noble Earl wished them to understand that he implied no interference in questions as to peace. He trusted the time would come when this country would fully carry out the principle of non-intervention. He had had many conversations with distinguished diplomatists, and they all agreed that if England would only wait, and not be perpetually interfering and advising, foreign Powers must come to us at last, and then our opinion would not only be taken but acted upon.

THE DUKE OF RUTLAND said, he was inclined very much to agree with the noble Lord in the general principle of non-intervention, but there were occasions when our own interests compelled us to interfere. He could not agree with what had fallen from the noble Marquess opposite as to the merits of Count Cavour, for he thought it was very much owing to him that this war had been begun. There was a passage in one of Sir James Hudson's despatches giving Count Cavour's opinion on a point of English politics, which he hoped might also meet with the approval of the noble Marquess. In that despatch Sir James Hudson informed Lord Malmesbury that he had called on Count Cavour to acquaint him that Her Majesty's Government were not about to resign office in consequence of the recent Vote of the House of Commons on the Reform Bill; on which Count Cavour said, "he was heartily glad to learn their decision, for it would be a public misfortune if the Cabinet of which Lord Derby was the chief, and which had recently taken so prominent a part in promoting the project of a Congress for the settlement of the Italian question, should quit office almost the moment the discussion of the question was commenced." He did not generally agree with the views of Count Covour, but on that point he certainly thought he had arrived at a sound conclusion.

VISCOUNT STRATFORD DE REDCLIFFE said, he admitted that the interference of England in the affairs of foreign countries might easily be carried too far. But it appeared to him that if we were to adopt the policy of altogether withholding our opinion on the politics of other States we should to a great extent be abandoning that high position which we occupied in the world. He believed that the objection properly lay rather to the manner in which we sometimes interfered than to the principle of interference. He would illustrate his meaning by a reference to the course which we had a few years ago pursued in the affairs of Naples. When he was lately in that country, his attention had been naturally drawn from a nearer point of view, and with stronger interest, to the character and consequences of its operation. We had employed our interference with the great advantage of acting in concert with our French Ally, but it appeared to him that by our want of judgment in the manner of doing so, we had forfeited that advantage, and the result was most unsatisfactory. It would be remembered that we withdrew our Minister from the Court of Naples, and the French Government did the same, in consequence of the line which the King of Naples at that time took with his own subjects, and which he did not abandon in consequence of our menacing position towards him. He (Lord Stratford de Redcliffe) could not help thinking that if on that occasion our interference had been confined to a simple expression of opinion and temperate advice, supported by the excellent example of our institutions at home, and if we had not publicly placed the King in a false position with respect to his own subjects, we should have obtained a much better result. The actual consequence was that notwithstanding all that could be alleged against the conduct of that Sovereign, and all that we had justly felt about the manner in which he conducted himself towards his own subjects, he maintained his position as long as suited his convenience; he never made the slightest concession to England and France, and he departed to another state of being in the obdurate triumph of a bad policy. This was perhaps the most remarkable instance of failure in the recent exercise of our intervention abroad, but no doubt the observation and memory of noble Lords would serve to remind them of other such examples. He must therefore be allowed to repeat his opinion that it was not the interference itself, but the mode of that interference, which had proved objectionable; and he trusted that this example would be remembered to the practical improvement of our policy on future occasions. The name of a very illustrious foreign Minister had been introduced into this conversation with a high panegyric. So far as he (Lord Stratford de Redcliffe) knew anything of the subject, he believed that, in point of talents, and a sincere desire to serve his country, that Minister was worthy of the highest encomium; but when he looked at the measures by which that minister's policy had been carried out, when he saw strong reasons for concluding that they proceeded from him as from their fountain-head, he could not but feel that a heavy moral responsibility had been incurred in the same quarter. Was it possible for their Lordships to lose sight of the means which had been employed by Sardinia to bring about the late revolution in Tuscany? It was no exaggeration to say that if, as it appeared from the correspondence, the Sardinian Representative at Florence had really taken a leading part in the conspiracy which was the immediate cause of that revolution, he had rendered himself amenable to the laws of the place. If the Grand Duke of Tuscany had preserved the free exercise of his power, it may well be doubted whether the Envoy's diplomatic character would have screened him from punishment. Reverting to his recollections of an earlier page in the history of our own country, to that anomalous period when Cromwell was the ruler of this kingdom, a foreign representative convicted of having so offended would not improbably have been hanged over his own door. Whatever might be our sympathies, and his were strong, for the cause of freedom in Italy, still the employment of means so worthy of reprobation, so contrary to those principles which by their application bind together the relations of friendly and independent States, would never find a sanction in any well-regulated mind. The welfare of the civilized world was not to be sacrificed to the chance of helping to improve the condition of one, by no means the most important, of its members. Now it was greatly to be desired that, sooner or later, a proper opportunity should be afforded for expressing the opinion of Parliament on recent events. What was to become of that deference to public opinion, which had so large a share in the regulation of national intercourse between independent States, if the Houses of British Legislation were to be debarred from passing judgment on events and proceedings of universal interest. He had been delighted to hear the noble and learned Lord (Lord Brougham) express his opinion so freely and amply, although on Friday evening his noble and learned Friend had interrupted him, and counselled him to silence. He thought the expressions of the noble Lord must have found an echo in the breast of every one who heard him. At the same time, he was fully satisfied that his noble Friend, who represented the Government in that House, had exercised a sound discretion at the present moment in requesting the noble Earl opposite to postpone a Motion which would have raised a general discussion at a time when their Lordships possessed very imperfect information on the subject in question. He trusted, however, that an opportunity would finally come when that House would be enabled to discuss the whole matter, and, as he hoped, with some advantage to the public interests.

LORD WODEHOUSE said, he had not the slightest desire to prolong this discussion, which he thought was most inopportune; but he must observe that he, in common with his noble Friend (Earl Granville), thought that a discussion on foreign affairs at the proper moment would be of the greatest advantage to the country and the Government, and he was sure that when the opportunity came for these matters to be discussed, his noble Friend would be desirous that the opinion of Parliament should be fully and fairly expressed. But the reason why they deprecated any discussion upon this occasion was, that they did not know what they were about to discuss. They had not the facts before them, which would enable them to enter into such a discussion with advantage. When they should have obtained those facts, Her Majesty's Government would form their own opinion, and then no doubt their Lordships would be ready to listen to that opinion and to express their sentiments, either in concurrence with it or not. As to the papers asked for, there were two circulars dated the 14th and 16th of June, which had been sent by Count Cavour to be communicated to Her Majesty's Government; they were read by the Sardinian Minister to his noble Friend the Secretary for Foreign Affairs; but no copies had been placed in his hands; so that, although they had appeared in the public newspapers, he could not lay them before Parliament. The other document asked for was a despatch of Her Majesty's Government referring to those despatches of Count Cavour's, and it should be laid on the table.

THE EARL OF MALMESBURY said, the answer to the circulars would be unintelligible if the circulars themselves were not printed also, and he therefore suggested that Her Majesty's Secretary of State for Foreign Affairs should do what was often done—namely, request a copy of those circulars from the Sardinian Minister.

LORD WODEHOUSE said, that as the Sardinian Minister stated he had been instructed merely to read those documents, and not to furnish any copies of them, it would hardly be becoming upon the part of Her Majesty's Government to ask for copies. The circulars referred to had been printed in the newspapers.

THE EARL OF MALMESBURY: There would be nothing unusual or uncourteous in asking for copies of such papers. How could the despatches have appeared in the public newspapers if they had not been forwarded by the Sardinian Minister?

THE MARQUESS OF CLANRICARDE said, it must often be absolutely necessary to ask for copies of foreign despatches, as no answers to them could otherwise be supplied.

Afterwards it was agreed—

"That an humble Address be presented to Her Majesty for, Count Cavour's Reply to the Despatch of the Earl of Malmesbury to Sir J. Hudson, dated 7th June, No. 83, in the Blue-book."

Lord Wodehouse

"That an humble Address be presented to Her Majesty for, Copy of a Despatch from Lord John Russell to Sir James Hudson on the Subject of the alleged Annexation of the Duchies of Central Italy by the Government of Piedmont."

House adjourned at a quarter past
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 15, 1859.

MINUTES.] PUBLIC BILLS.—1° Boundaries (Ireland; Cambridge University Commission (Continuance); Universities (Scotland); Bankruptcy and Insolvency (Ireland) Act Amendment.

SANDWICH ELECTION.

ORDER DISCHARGED.

MR. SPEAKER acquainted the House, that he had this day received a Letter from Messrs. Wilkinson and Stevens, as Agents for John Ralph and Henry Langley, informing him that it is not their intention to proceed with their Petition complaining of an undue Election and Return for the Town and Port of Sandwich.

Letter read, as followeth:—

London, 2, Nicholas Lane, Lombard Street,
15th July, 1859.

Sir,—As Agents for John Ralph and Henry Langley in the matter of their Petition delivered in on the 21st day of June last, complaining of an undue Election ahd Return for the Town and Port of Sandwich and the Parishes of Deal and Walmer, we hereby beg to inform you that it is not intended to proceed with the said Petition.

We have the honor to be, Sir,
Your very obedient Servants,
WILKINSON & STEVENS.

To the Right Honorable the Speaker
of the House of Commons.

Order for referring the said Petition to the General Committee of Elections read.

MR. KNATCHBULL HUGESSEN said, he did not know whether he had the power to object to the petition being withdrawn; but it was the earnest desire of both his hon. Colleague in the representation (Lord C. Paget) and himself that the imputations made against them by the petitioners in the face of the whole country for some time past should not drop without being submitted to a searching inquiry. If his hon. Colleague and himself had any power to compel the petitioners to proceed with the petition they were determined to exercise it. The withdrawal of the petition had certainly taken him by surprise; and he now gave notice that he would take an early opportunity of bringing the subject of its withdrawal under the notice of the House, and of making a statement with the view to show the House and the country how the business of election petitions was conducted. He was bound to say that the system of election petitions, both as to their presentation, their whole management, and their withdrawal—when withdrawn — was perfectly disgraceful. If the House thought fit, he was prepared at that moment to oppose the withdrawal of the petition, but if it was not competent for him to do that he should avail himself of another opportunity to bring the matter under consideration.

LORD CLARENCE PAGET said, he joined with his hon. Colleague in the earnest desire that this matter should be inquired into, and he appealed to the Speaker whether it was not in the power of his hon. Colleague and himself to object to the petition being withdrawn.

MR. SPEAKER replied in the negative.

Order *discharged.*

FRENCH FLEET AT BREST AND CHERBOURG.—QUESTION.

LORD WILLIAM GRAHAM said, he had by desire of the noble Lord the Secretary of State for Foreign Affairs, postponed the question which he now proposed to ask him. Rumours han been circulated for several days that orders had been received at Cherbourg and Brest that a large fleet should be collected. Peace had supervened, but that had only made those preparations still more extraordinary if they were still going on; and therefore he wished to ask the question of which he had given notice, whether Government has received any information respecting the formation of a large Channel Fleet at Brest and Cherbourg, with gunboats, and means for embarking and disembarking troops; and if so, whether they have demanded any explanations from the French Government on the subject.

LORD JOHN RUSSELL said, in answer to the question of the noble Lord, that the person to whom Government had applied for information on this subject was the gentleman who filled the office of Her Majesty's Consul at Brest, he being at present in Paris. That gentleman asserted his confidence that there were no extraordinary preparations going on either at Cherbourg or at Brest. Such being the case, and there being no further information of any such preparations the Government had not thought it necessary to demand explanations from the French Government.

IMPORTATION OF OPIUM INTO JAPAN.

QUESTION.

MR. BAINES said, he would beg to ask the Secretary of State for Foreign Affairs what means are being adopted to enforce that clause in the recent treaty with Japan which prohibits the importation of opium.

LORD JOHN RUSSELL said, in the treaty with Japan he could not find that there was any clause which required the interference of the British Government. In that treaty the importation of opium was prohibited; it was deemed contraband, but there was no clause that the British Government should interfere to execute the laws of Japan.

EDUCATION IN SCOTLAND, &c.

QUESTION.

MR. CAIRD said, he rose to ask the Lord Advocate whether it is his intention, on the part of the Government, to introduce a Bill, this or early next Session, on the subject of Education in Scotland, and especially with reference to the abolition of Tests in the parish schools; also whether it is his intention to bring in a Bill to abolish Infeoftments in Burghs in Scotland?

THE LORD ADVOCATE replied, that as to the first part of the question, the hon. Gentleman must be aware of the difficulties which had ever attended any attempt to deal with a settlement of the question. He would, however, say that he had entertained the hope that after the passing of the Scotch Universities Bill, last year, some attention might have been given to the question in the recess; but he regretted to say nothing could be done this Session. As to the second part of the question, he thought that the passing of such a measure as that alluded to by the hon. Gentleman, was the necessary sequence of measures that had already been adopted by Parliament, and at one time he had intended to introduce a measure for the purpose in the present Session, but now the question must stand over for consideration.

REGISTRATION OF LAND (IRELAND).

QUESTION.

Mr. VINCENT SCULLY said, that with reference to the plan for facilitating the free transfer of land submitted by him to the House in May, 1853, which plan was in substance recommended for adoption in 1857, by the Report of the Registration Titles Commission, and was still more closely embodied in the two Land Bills of the late Solicitor General, he wished now to ask the Attorney General whether the present Government intend to introduce any measure to facilitate the transfer of land by means of a proper system for the Registration of Title; when would such measure be laid before Parliament, and what would be the general nature of its provisions?

The ATTORNEY GENERAL said, the Report of the Commission was now under the consideration of Government, together with the valuable Bill that was brought in by the Solicitor General of the late Administration. Measures would be shortly prepared, and he trusted would be brought into Parliament in the ensuing Session for carrying the recommendations of that Report into effect. It was impossible to state what the details and provisions of those measures would be further than that the object of them would be to give effect to the proposition for a Registration of Title, and to carry the recommendations of the Commissioners into effect.

THE ORANGE RIOT AT KINSALE.

QUESTION.

Mr. VINCENT SCULLY said, he would also beg to ask the Secretary for Ireland whether his attention has been called to the violent conduct of some soldiers of the Antrim Artillery Militia on Monday last at Kinsale, and whether he has received any official Report or confirmation respecting the causes or the results of that conduct?

Mr. CARDWELL said, he had only the same information at present as the hon. Gentleman himself, there not having been time for him to receive any Official Report.

BANKRUPTCY BILL.

QUESTION.

Sir FITZROY KELLY said, he rose to ask the Secretary of State for Foreign Affairs whether it is his intention to propose to Parliament during the present Session the Bankruptcy Bill, which was read a second time, and intended to be referred to a Select Committee, in the last Session of the late Parliament.

Lord JOHN RUSSELL said, that his time would be too much occupied with the duties of his present office to enable him to devote any time to the Bankruptcy Bill; but the measure was in the hands of his hon. and learned Friend the Attorney General.

THE COLONY OF "QUEENSLAND."

QUESTION.

Mr. MARSH said, he wished to ask the Under Secretary of State for the Colonies what are the intentions of Her Majesty's Government with regard to the new colony of "Queensland," in the northern part of Australia.

Mr. CHICHESTER FORTESCUE in reply said, that the colony of "Queensland" was not actually in existence until the Queen's Order in Council had been proclaimed, by the Governor, who was about to go out. The only difficulty was as to the adjustment of the debt between the old colony of new South Wales and the new colony. The noble Duke at the head of the Colonial Department intended to leave the two colonies to settle that point between themselves, and only to have recourse to legislative interference in this country in the event of the colonies failing to come to an agreement. With respect to the question of boundary, the noble Duke proposed to abide in general terms by the boundary recommended by Sir William Denison, but if the two Colonial Governments chose to agree upon any modification of that boundary, they would be at liberty to do so.

DRAWINGS FOR THE NEW FOREIGN OFFICE.—QUESTION.

Mr. TITE said, he would beg to ask the First Commissioner of Works whether he has any objection to place the Drawings for the New Foreign Office, together with the Designs to which the first two Premiums were formerly awarded, in the Library of the House with as little delay as possible, and without waiting for the Tenders from the Builders for the actual construction of the Gothic design.

Mr. FITZROY said, that as it would

probably be the wish of the House again to inspect the first three premiated Drawings, he had made arrangements for their being exhibited, but he thought the Library of the House would be a very inconvenient place for the purpose, as the books would be covered by the plans, and the latter might be exposed to some risk of injury. He therefore considered that the Reading Room on the right hand side of the entrance to the House would be more suitable, and he had given directions that the plans should be placed there in the course of the following day. When the estimated tenders were received they would also be exhibited in the same room.

MEDICAL OFFICERS' ARMY WARRANT—THE INDIAN ARMY MEDAL.

QUESTION.

Captain **LEICESTER VERNON** said, he rose to ask the Secretary of State for War whether he will recommend that the Clause No. 12 of the Commissariat Warrant be extended to the Medical Officers' Army Warrant, whereby a Medical Officer, after twenty years' meritorious service, if pronounced by a Medical Board as permanently unfit for service, either mentally or physically, might be allowed to be placed on the permanent retired list; also when the medals will be issued, which it is understood will be granted for the achievements of the Army in India?

Mr. **SIDNEY HERBERT** said, that the Indian medal would be issued when Her Majesty had decided for what operations the medal should be granted. The medals themselves had not yet been received, but when they were they would be sent to the office of the Secretary of State for India, in whose department the distribution of the medals lay. With regard to the question whether the Commissariat Warrant would be extended to the Medical Officers' Army Warrant, it was true that the Commissariat had got their warrant, and they had been treated with great liberality, but to extend that warrant to other branches of the service would lead to great expense and inconvenience.

THE INDIAN MEDAL.

QUESTION.

Mr. **H. BAILLIE** said, he would beg to inquire whether the Corps that marched through India under Sir Hugh Rose will have the India medal?

Mr. **SIDNEY HERBERT** said, the hon. Gentleman had not given notice of his question, and therefore he (Mr. Sidney Herbert) could not give a decisive answer; but he believed the distinction would be extended to that force.

EDUCATION (SCOTLAND.)

QUESTION.

Mr. **ROBERTSON** said, he would beg to ask the Lord Advocate whether it is his intention to introduce, during the present or the next Session of Parliament, a measure for the improvement of the general system of Education in Scotland, and at the same time providing for an increase in the Salaries of the Parish Schoolmasters, or for either purpose?

The **LORD ADVOCATE** said, that if he were enabled to propose to the House such a measure as that alluded to by the hon. Member he should unquestionably combine with it an increase of the Salaries of the Scotch Parish Schoolmasters.

On Motion that the House at rising do adjourn till Monday,

AFFAIRS OF ITALY.—THE TREATY OF PEACE.—QUESTION.

Mr. **HORSMAN** said, he wished to ask the noble Secretary for Foreign Affairs whether any communication had been made to the British Government by the Governments of Austria and France with respect to the terms of the convention of peace entered into between them, or with respect to the mode in which it was proposed to give effect to that convention, and whether any communication had been made in regard to it to the other Powers of Europe who were parties to the Treaty of Vienna?

Lord **JOHN RUSSELL** was understood to say that no communication of the exact terms of the convention of peace, concluded between the contending parties, had been made to Her Majesty's Government. Count Walewski informed Lord Cowley, at Paris, and the French Ambassador in London told him (Lord J. Russell) that the convention had been signed, and stated the purport of the document in the terms already known to the House; but no communication of its exact terms had been made either to the English Ambassador at Paris or to Her Majesty's Government. He had directed Lord Cowley to ask for an explanation as to the exact terms of the treaty, and the mode in which it was proposed to carry it into effect, and the answer given by the Minister for Foreign Affairs in France was that no further statement could be made until the Emperor arrived at Paris. He believed the Emperor was expected there on Monday next, and after that period he should expect the particulars of the convention from Her Majesty's Minister at Paris. He believed that a communication similar to that made to the English Government had been made to the Government of Prussia at Berlin; but he did not know whether any such communication had been made to Russia or other States, who were parties to the Treaty of Vienna.

CORPORATION OF LONDON REFORM BILL.—QUESTION.

Sir JOHN SHELLEY said, he wished to make an appeal to the right hon. Baronet the Home Secretary upon a subject which had been already touched upon by the noble Lord the Foreign Minister—he meant the Motion for the second reading of the Bill for the Reform of the Corporation of the City of London. He wished to ask whether it was the serious intention of the right hon. Baronet to bring on a measure of that importance at this Session of the year. The Bill contained seventy-three clauses, and if the right hon Gentleman supposed that the measure was going to swim through the House without opposition he was much mistaken, as he (Sir John Shelley) had given notice of several Amendments to the Bill. He believed it was the intention of the Government to bring in another Bill with regard to the finance of the City, and he thought it would be better to bring in both Bills early in the next Session.

Sir GEORGE LEWIS said, that if the time of the year were to be an absolute bar to any discussion whatever, then of course it would be necessary that the Bill should be postponed; but, considering that there had been very little legislation before Easter, it would follow that nothing would be done this year. The subject had been frequently under the consideration of the House, and he was not aware that it was likely the House would obtain any more light to aid them in legislating in this matter next Session than at present; and, considering that the question had been divested of its most serious difficulty, namely, the financial portion, which was to be the subject of a separate Bill, he wished the House to pronounce an opinion on the measure at once on the present Bill. If the opinion of the House were favourable to the measure, then he would attempt to carry it through this Session; or, if the House were favourable to delay, he must, of course, bow to their decision. He would endeavour to state on Monday next the day on which he would be prepared to bring the subject forward.

THE PARKS.—QUESTION.

Mr. W. EWART said, he would beg to inquire of the Chief Commissioner of Public Works whether there will be any objection to increase the number of seats for the accommodation of the public, as well as to restore those requiring restoration, under the trees in Hyde Park and Kensington Gardens; and also, for what special reason a large portion of the Park beyond the Humane Society's Receiving House has been enclosed with rails, and thus withdrawn from the free access of the public?

Lord ELCHO said, he wished to put another question to the right hon. Gentleman. In the course of a walk that morning near the Kensington-gravelpits, he observed a very fine elm, fifteen feet in circumference, which would, he feared, be destroyed if the present works were continued. The excavations had been carried to within the length of his umbrella from the tree, and the roots on one side had been already cut away. He hoped this fine ornamental tree, which stood in a position where it could be ill-spared, would not be destroyed, and he would suggest that the gentleman who had the direction of the works and whose duty it was to have prevented this wanton act, should be called upon to repair, at his own cost, the damage which had already been done.

Mr. FITZROY said, that in reply to the question of the hon. Member for Dumfries (Mr. W. Ewart), he had to state that a considerable Vote was taken every year to provide seats for the accommodation of the public in St. James's Park, the Green Park, Hyde Park, and Kensington Gardens. Last year a Vote of £250 was taken for this purpose, and in the present Estimates a Vote of £70 was proposed. There were at this time 102 public seats in St. James's Park, 67 in the Green Park, and 351 in Hyde Park, the total number of seats being 520; but he must admit that 49 of them were out of repair. With regard to the enclosure of a portion of Hyde Park by rails, it would be in the recollection of many hon. Members that two or three years ago strong complaints were made of the inconvenience which resulted from allowing cows to graze in the Park, and in order to obviate this inconvenience the cows had been restricted to a small portion of the Park. In reply to the question of his noble Friend he might say that he believed on the first day after his accession to office, he spoke to the superintendent of the Parks as to the damage which might be occasioned to the fine tree to which the noble Lord had referred in the progress of the excavation. He had not visited the spot recently, and ascertained by the measurement of his umbrella, as his noble Friend had done, the distance within which the excavation had approached the tree; but he could assure the noble Lord that every care should be taken to protect that very beautiful tree from destruction.

SIR JOHN SHELLEY said, he wished to know to whom the cows allowed to graze in the Park belonged?

MR. FITZROY replied, that he could only say they did not belong to him.

INSURANCE OF LETTERS.

QUESTION.

MR. EVANS said, he wished to call the attention of the House to the system of Letter Insurance which exists in Prussia, and to ask whether a similar system might not with advantage be introduced into this country? When persons wished to send notes, coins, jewels, or other valuable articles through the Prussian post, they attended at the office, exhibited the articles in question, declared their value, and paid a small fee. If after that they happened to be lost the owner was reimbursed, except, indeed, the loss had been occasioned by what, in the legal language of this country, was termed "the act of God." The extreme cheapness of this insurance in Prussia might be judged of from the fact that when the value was under £7 10*s*., and the distance under fifty miles, the fee was only a halfpenny; and a letter enclosing £150 in bank notes might be insured for sixpence.

MR. LAING said, the attention of the Post Office authorities had never yet been called to the subject—a fact which showed that with the facilities afforded the public by our system of money orders and registered letters, no urgent need was felt to exist for anything like what the hon. Gentleman had described. If the hon. Gentleman, however, would call on Mr. Rowland Hill and convince him of the desirability of introducing it, the subject should receive the best attention of the Government.

SCOTTISH EPISCOPAL CLERGYMEN.

QUESTION.

MR. HUNT said, he would beg to ask the First Lord of the Treasury whether it is the intention of Her Majesty's Government to recommend to the House, either during this or the next Session of Parliament, any measure for relieving persons ordained by Bishops of the Protestant Episcopal Churches in Scotland and the United States of America from their present disabilities to officiate and hold cures of souls in England and Ireland?

VISCOUNT PALMERSTON said, that when the subject was recently discussed, the opinion of the House seemed to be that before any change was made in the law, it was desirable that inquiry should be instituted by a Select Committee. It was not the intention of Her Majesty's Government now to propose such an inquiry, but it might be done next Session.

MR. HUNT said, that in that case he wished to give notice that if such inquiry was not proposed by the Government, he would take an early opportunity next Session of moving for the appointment of a Committee with a view to legislation on this subject.

LAW OF LANDLORD AND TENANT (IRELAND).—OBSERVATIONS.

THE O'DONOGHOE said, pursuant to notice, he rose to call the attention of the Government to the relations subsisting between Landlords and Tenants in Ireland. He was actuated by a desire to impress upon the Government the necessity of dealing promptly and fairly with this question. He hoped that their course would at least be plain and intelligible, and that if they did not think it wise to go as far as the country wished and expected, they would not seek to take refuge in a policy of disingenuous evasion. If the Government meant well they would be outspoken and candid. He would recommend them not to take fifteen months to prepare a Bill on this subject, but keeping in view the conduct of their predecessors upon this subject, to take a course exactly the contrary. What Ireland wanted was a plain and simple Bill, which would give the occupier a legal claim for compensation for improvements. He saw no necessity for a leasing powers Bill, as ninety-nine out of every hundred landlords already had such powers. A few days ago a case came before the Master of the Rolls, in Ireland, in which a tenant who had been evicted claimed compensation for a considerable outlay of money in the shape of improvements which greatly enhanced the value of the land. The learned Judge was obliged to be guided by the rules of law and to decide against the claim of the tenant; but in giving his decision he emphatically expressed his regret at the state of the law, which compelled him to declare in favour of an injustice in a place which was supposed to be the throne of justice itself. He (the O'Donoghoe) thought that the principle of compensation should be also retrospective, though limited to a certain number of years. On the success of such a measure he believed depended the happiness and prosperity of Ireland.

Mr. CARDWELL said, that this interesting subject was one which had been brought under the consideration of the House every year during the whole time since he had the honour of being a Member. It had been undertaken by every Government without success. He had the honour to live in friendship with the distinguished Judge to whom the hon. Gentleman referred. Amongst the services rendered by that eminent individual was the framing of a Bill on this subject. What the present Government intended to do was to give their best attention to a subject of so much difficulty. If its difficulty had been in any degree removed by their predecessors having endeavoured to deal with it, the task which the present Government had undertaken might, perhaps, be facilitated. At all events, they had undertaken it conscious of its difficulty, desiring to overcome that difficulty if they could by reasonable precautions, and by framing a measure which might accomplish its object and do justice to both parties. At the present stage of their proceedings he hoped that the hon. Gentleman would not require him to say more on the subject.

Motion *agreed to.*

House at rising to adjourn till *Monday* next.

The O'Donoghoe

SUPPLY.

On the Motion that Mr. Speaker do leave the Chair,

THE AFFAIRS OF ITALY.—LORD ELCHO'S RESOLUTION.—EXPLANATION.

Lord ELCHO said, that, when appealed to on Tuesday by his noble Friend the Secretary of State for Foreign Affairs to withdraw the Motion which stood in his name, in giving way he reserved to himself the right of saying a few words in explanation of the motives which induced him to place his notice on the paper. He was now anxious, as shortly as he could, to make that explanation, because his motives had been much misunderstood. The House need not be alarmed; he had not brought the blue-book with him, and did not intend to enter into any argument to persuade hon. Members to adopt the opinions embodied in his Resolution. It had been stated that he had turned a Derbyite, and that it was from factious motives and hostility to the present Administration that he had given notice of his Motion. He entirely disclaimed everything of that kind. He entertained for the present Government no feelings of hostility. Far from it, he was prepared to do by them as he had done towards preceding Governments—namely, to give them his humble support where he thought they were right, and to oppose them where he thought they were wrong. It was not, therefore, from a feeling of hostility to the present Ministry, but simply from a desire to do what he believed to be an act of simple justice towards the late Government, that as an independent Member he had put his notice on the paper. It could not be denied that an impression had gone abroad that the policy of the late Government had been a policy not of strict neutrality, but one favourable to Austria and antagonistic to France and Sardinia. That was stated in the public prints and by their opponents in that assembly, and there could be no doubt that this had had a material effect upon the adverse division which took place in that House, and produced the fall of the late Government. Indeed, he had heard it said that had the blue-book been published previous to that division it would have made a difference in it of something like twenty votes. He did not wish to enter into any discussion on that point, but when the blue-book came out the impression it unquestionably produced was that the late Government had been greatly maligned in regard to the policy they had pursued, because it was then shown that on the Italian question they had all along adopted a strict and impartial neutrality. It, therefore, appeared to him, as an independent Member, having supposed that the late Government had acted in a certain way, and finding that they had really not done so, that it was but right that Parliament should have an opportunity of expressing an opinion; and the opinion which he had himself formed he embodied in his Resolution. That, then, was the sole object of the first part of that Resolution, and he was at loss to see how it could be viewed as a hostile act to the present Administration. In private life, when one had wronged a man by unwittingly saying that he had done a thing which subsequent events convinced one that he had not done, the first impulse of an English gentleman, even if that man was his enemy, was to do him justice, admit that he had injured him, and express one's regret. All, therefore, that he had intended asking the House of Commons was, to do that which each individual Member would have felt himself, as an individual bound to do, and if, in its aggregate capacity, it believed it had wronged the late Government, he had wished to put it to the House whether it should not take the opportunity he had afforded to it of doing them justice. Such then was the motive which mainly induced him to put his notice on the paper. He did not deny, however, that in framing the latter part of his Motion he was under the impression that the present Government were not prepared to follow a policy of strict neutrality. His belief was that the feeling of the country was, as long as our honour and our interests were not affected, in favour of maintaining between the contending parties in Italy a strict and impartial neutrality. But he doubted from the antecedents of his noble Friend at the head of the Government, and from the antecedents of his noble Friend the Foreign Secretary, whether their neutrality would be really strict and impartial. He was afraid that their neutrality, as was said of that of Russia, would be a *neutralité inquietante* towards Austria, and that their attitude towards Austria would in fact resemble the attitude towards France which was erroneously ascribed to their predecessors. He believed that if he had brought on his Motion he could have proved from the speeches and antecedents of those noble Lords that he was not wrong in that impression; and, therefore, he was anxious that there should be an affirmation on the part of the House of Commons that the conduct of our Government ought to be strictly and rigidly neutral. Five minutes after he gave that notice, his noble Friend at the head of the Government, however, said that he intended to walk in the paths chalked out for him by his predecessors. He (Lord Elcho) for himself, was perfectly willing to accept that declaration, to believe that it was made without any *arrière pensée,* and that it was the *bonâ fide* purpose of the new Ministry to carry into effect the strictly neutral policy followed by those whom they had succeeded. Nevertheless, he should have been disposed to ask the House to adopt the latter part of his Resolution, because in the nicely-balanced position of parties there, with much doubt still prevailing whether hon. Gentleman who sat behind him (the party below the gangway on the Ministerial side) really meant to give a cordial support to the present Ministry, he thought it desirable to strengthen the hands of the Government by the expression, if possible, of a unanimous opinion in favour of neutrality. He had hoped that this question would have been taken up by some more influential independent Member, and he had asked the hon. and learned Member for Sheffield (Mr. Roebuck) and the hon. Member for Surrey (Mr. Drummond) whether it was their intention to bring it forward. Both of those hon. Gentlemen said, that although they thought such a step should be taken, they did not mean to take it themselves, and the hon. Member for Surrey strongly urged him to do so. On these grounds, then, and on these grounds only, he had ventured to place his Motion on the paper. He would now state the reasons which had led him to withdraw his Motion. It was not in consequence of the state of affairs existing at the time when his noble Friend the Foreign Secretary asked him whether he intended to proceed, that he was induced to withdraw his Motion, for before that question was put to him on Tuesday last, he had determined in his own mind not to press his Resolution. He was not prepared to admit that the House of Commons should necessarily at all times, when public affairs on the Continent were in an important or momentous position, be debarred from the expression of its opinion; on the contrary, he ventured to think, that in any important crisis of European affairs, the opinion of perhaps the only free assembly of free men in Europe—for no one knew what had become of the Sardinian constitution—so far from being detrimental, might be highly beneficial, when expressed in a becoming manner. What would happen if the view which he had just stated was not to hold good? Why, the expression of public opinion in England, if it did not find vent in the House of Commons, at periods of great interest, would be left entirely to the public press. Now, he wished to speak with all respect of the English public press. He believed it to be the most independent and, upon the whole, the most honest public press in the world; but they all knew that the daily press wrote for daily circulation, that it was apt to take its colouring from passing events, and they had occasionally seen that what was denounced as wrong in January became right in June, when sanctioned by the magic of success. It was desirable, then, that the House of Commons should upon important occasions express its opinion upon matters of foreign policy; but even before the appeal made to him he had determined not to press his Motion because he was aware that if he had determined to persevere, there were many men in that House who, though unable to deny the truth of the statements which it contained, would have taken advantage of the existing state of things, and of the withdrawal of a somewhat similar Motion in "another place," to vote against it, if he had pressed it to a division. His object would thus have been defeated, that object being to obtain, if possible, an unanimous, but certainly a distinct expression of opinion on the part of the House. He regretted that he had been obliged to withdraw his notice, because he was anxious to do an act of justice to the late Government. He could not, however, but in common with every Member of that House, rejoice at the cause of his having to withdraw his Motion — the cessation of war and the conclusion of peace. Although the announcement of peace was received by the House with acclamation, he could not but think that there were many hon. Members who did not view it with entire satisfaction. He doubted whether those hon. Gentlemen who, regardless of right and of treaties, forgetful of Ireland and of Canada, had been favourable to the armed intervention of a foreign Potentate in the affairs of a neighbouring country, and to the propaganda of nationalities were profoundly satisfied with this peace. He doubted whether the peace had been received with much delight by those who dwelt in the neighbourhood of Leicester Square. He doubted whether any song of thanksgiving would issue from the platform of Exeter Hall in favour of a peace, the main feature of which was the exaltation of the Pope. It might be sceptical on his part, but he was also inclined to doubt whether the circumstances, and the terms of this peace had met with cordial approval from the authorites in Downing Street, whose counsels and whose advice had, as far as the House was aware, not been sought. He was inclined to condole sincerely with his noble Friend the Foreign Secretary upon the position he now occupied, for he had been suddenly and unexpectedly deprived of an opportunity which he, no doubt, anxiously desired to redeem his character as a negotiator, and to succeed in establishing in Italy that model constitution which he had doubtless already prepared. But if they were inclined to condole with the Foreign Secretary, he was sure there was no Member of that House, no man who had in him any feeling of compassion, who would not condole still more with the noble Lord at the head of the Government. Of that noble Lord it might be said that the dream of his life had been the expulsion of the Austrians from Italy, and he now had the satisfaction of seeing them more permanently established in the Quadrilateral than ever, with the recognized right, as a part of a great Italian Confederation, of interfering in the affairs of every State in Italy. He did not envy the feelings of his noble Friend when he found that peace had been concluded without the Emperor of the French having asked his counsel or waited for his advice, and the noble Lord had the farther mortification of reflecting that eleven years ago a nod of his head, a stroke of his pen, would have given to Italy, an amount of liberty greater than she now enjoyed after years of agitation, suffering, and misery, and after the immolation of hecatombs of slaughtered soldiers. He could not but think that his two noble Friends in their present position were worthy of the deepest commiseration; for, to use a graphic though somewhat slang expression, they had been most horribly "sold." But peace had been made. A war wantonly commenced had been capriciously concluded, and although there were many things upon which he could wish for further information, although he should like to know what preparation had been made for the better government of the Roman States and the Kingdom of the Two Sicilies, although he should like to know what would happen in the event of the subjects of the Pope and the Dukes of Tuscany and Modena, and of the Duchies of Parma, declining to receive back their Sovereigns—although he should like to know whether the Austrian, Sardinian, and French armies, were to force those personages upon their reluctant people; although he should like to know what had become of the Sardinian constitution and its free press—whether it was to be restored, modified, or extended to Lombardy or not—yet they ought in the meantime to rejoice that peace had been made, and that the sickening slaughter which had daily filled the columns of the morning press would not in future meet their eyes as they glanced over the pages of their favourite journal. Let them earnestly pray that this peace might contribute to the permanent tranquillity, happiness, and security of Europe, although he, for one, was inclined to doubt it much.

THE MILITARY OATH.

OBSERVATIONS.

LORD WILLIAM GRAHAM said, he rose to call the attention of the Secretary of War to the oath taken by recruits on attestation. It would be sufficient for him to refer to what had occurred lately in India to show of how little effect the oath was in maintaining the allegiance of the soldiers; and also to the important fact, disclosed by a Return lately moved for by the hon. and gallant Member for Westminster, that, while in a single year 3,500 recruits had deserted before they had taken the oath, 17,000 had deserted within the same period after they had taken the oath. He objected to that part of the oath which made the men swear to obey the orders of their officers, for after taking it the man who committed the slightest breach of discipline committed perjury. He hoped the Secretary of State for War would direct his attention to the subject.

MR. SEYMOUR FITZGERALD: I should have risen, Sir, to offer some observations to the House immediately after my noble Friend (Lord Elcho) sat down, but that I expected his remarks would have met with some response from one or other of the noble Lords, or from some right hon. Gentleman on the Treasury bench. As my noble Friend has thought it right not to enter at any length into a consideration of the Resolution which he had proposed to submit to the House, neither will I intrude on the House by any lengthened observations. I quite agree with the noble Lord that there are no considerations which on public grounds should have induced him to withdraw from the notice of the House the Resolution which he intended to propose. The consideration of that Resolution, Sir, certainly could not have interfered with any negotiation which Her Majesty's Government have in hand, as far as we know—for the best of all possible reasons, namely, that Her Majesty's Government have undertaken no negotiations at all. And further, Sir, if rumour speaks truly, any proposition or negotiation would have met with very little encouragement at the hands of the noble Lords opposite. Neither would the consideration of the Resolution of my noble Friend have interfered at all with those friendly and cordial communications which may be supposed ordinarily to pass between Her Majesty's Government and a friendly Power; because, Sir, we are informed that when the armistice was signed that Her Majesty's Government had received no official information of the circumstance; and now we are informed that peace has been concluded, and that Her Majesty's Government are still without any information on the matter, so that consequently they have never been consulted at all in reference to it. Therefore, as far as the public interests are concerned, I do not think my noble Friend was called on to withdraw his Resolution; but although it might not have been inconvenient to the public service, I think it is pretty clear to the House that a discussion with reference to my noble Friend's Resolution would have been necessarily and singularly inconvenient to Her Majesty's Government. After debates, which certainly have seldom been exceeded in interest and importance, Her Majesty's late Government retired from office, and we now see their successors on the opposite benches. In the course of those debates the noble Lord the Member for Tiverton addressed a speech to the House in which he severely arraigned the conduct of the then Government in reference to their conduct of foreign affairs. He made suggestions on that occasion as to the course which Her Majesty's Government ought to have followed, and he also made statements as to the course which they had adopted. I took leave at the time to give an emphatic contradiction to the statements of the noble Lord, although I refrained from asking him from what quarter he had obtained his information as to our communications on foreign affairs. Certainly, Sir, it did not come from Her Majesty's Government, and it could scarcely have come from that quarter to which the noble Lord supposed those communications were addressed. I can imagine, therefore, that a discussion on my noble Friend's Resolution would have been most unpalatable to the noble Lord at the head of the Government when from every side of the House it would be pointed out to him that all suggestions which he made as to the course which Her Majesty's late Government ought to have taken were precisely those which throughout had influenced the councils of that Administration, and that the language which he said we ought to have held was not only the same in spirit, but almost identical in words with that which my noble Friend the late Secretary for Foreign Affairs made use of in his communications on the Italian question. Why, Sir, if a discussion had been taken on the Resolution of my noble Friend it would have been shown that the noble Lord opposite (Viscount Palmerston) obtained power which he now holds by misrepresentation of the policy of Her Majesty's late Government, and by statements which, as one of those engaged in office at the time, I felt it my duty to meet with an emphatic contradiction. Nor do I think, Sir, that the discussion would have been satisfactory to Her Majesty's Government on general grounds. Certainly, after the debates to which I have referred, and the accession of the noble Lord to office, great expectations were entertained by hon. Gentlemen opposite as to the results of that change. There were many who called themselves friends of Italy, but still said that the policy of this country ought to be a policy of non-interference. There were many who hoped that the ingenuity of the noble Lord at the head of the Government, and that of the noble Lord the Secretary of State for Foreign Affairs, would enable them to combine those two policies, and thus attain the results which in both interests they wish to see attained. They wish Italy free, but at the same time they desire a policy of non-intervention on the part of this country. And expecting that a policy of this kind would be originated by the noble Lords opposite, I can fancy the disappointment of those hon. Gentlemen at hearing from the lips of the noble Lord that he had no policy whatever, that the policy which he should pursue was that chalked out by the Government who had been in office before him. Above all, Sir, what must have been the effect of that announcement abroad. There were populations who were on the verge of revolt, and looked to the name of the noble Lord at the head of the Government as that charmed name which was to bring them all the advantages which they sought for? There were vacillating Cabinets and hostile powers all waiting to hear the policy of the new Government; and at last when listening with attentive ears, Europe read the announcement of the noble Lord's policy, it heard no more than that he had no policy of his own at all—that his policy was chalked out for him by his predecessors. My noble Friend abstained from going into the details of the question to which his Resolution referred, and I shall follow him in this course. I will not enter at length into a discussion of those matters, which necessarily would be somewhat disagreeable to Her Majesty's Government; I will only say that I think it is a caution to those who sit in this House, and depreciate a policy in total ignorance of what that policy is, to take heed by this example, and take care that when they accede to office, they may not be called on to accept in all humility the policy which they were the first to revile. I wish to make one observation to Her Majesty's Government in reference to existing affairs, and with reference to the policy of Her Majesty's Government in respect of them. Before I do so, however, I desire to offer one remark to the noble Lord the Member for the City of London (Lord J. Russell), in reference to an observation which fell from him a few nights ago, when I asked a question in reference to a despatch which he had addressed to our Minister at Berlin, and which, according to the confession of some of his colleagues, contained advice as to the policy which Germany ought to pursue in reference to the present war. After I left the House on that occasion, the noble Lord referred to a despatch of my noble Friend the Earl of Malmesbury, commenting on which the noble Lord (Lord J. Russell) said that the course of policy pursued in that matter by the present Government was exactly the same as that which had been adopted by the preceding administration. Now, it is to correct that great misapprehension I wish to say a few words. If the noble Lord read carefully the context of the despatch he quoted, he would see that the circumstances were totally different, and that there was not the slightest analogy between the advice said to be tendered by the noble Lord and that contained in the despatch from which he quoted. My right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) said, that the policy of the late Government had been to abstain from offering any advice to Germany in respect to what her interests required, as we felt that by so doing we should put ourselves in the position of being called on to give a moral guarantee for the consequences which that advice, if followed, might entail on the Power to which it was given. I confess that seemed to me to be the policy which the statesmen of this country were evidently required to pursue. But the noble Lord opposite quoted a despatch which had been addressed to Germany under totally different circumstances, and which was not applicable to the case put by my right hon. Friend. I cannot but think that both the noble Lords received that despatch ready opened from some precipitate colleague, who had not made himself master of the contents. Now, I wish to point out to the noble Lord, that by the articles of the general pact the Germanic Confederation is not obliged to join in hostilities on behalf of any member of the Confederation, merely because a portion of his territory not within the limits of the Confederation is attacked; but if any portion of his territory not included within those limits is menaced, it is for the Confederation to say, whether the case is one of federal interest and one in which the Confederation should interfere. Then, the position taken by my noble Friend the Earl of Malmesbury, in that despatch quoted by the noble Lord, is in effect this, "As long as there is no matter involved for which it is your interest to interfere, slumber—do not interfere; but as soon as German interests are involved, then I will not take the responsibility of giving advice to Germany in respect of the course which she ought to pursue, as I am not prepared to accompany it with a moral guarantee." From this, it is evident that my noble Friend declined to do exactly what the noble Lord opposite did; and in doing so, adopted, as my right hon. Friend the Member for Buckinghamshire observed, a very dangerous policy. I would now call the earnest attention of the House to the present condition of affairs. It is impossible, I apprehend, to say whether the details of the peace which has been lately signed, will have to be carried out by a European Congress or not. Now, I am not going to discuss the terms of the peace. The details are so imperfectly known, that I think a discussion of them would not be conducive to the public interest. But I say this, that it is possible at any rate that the details of the treaty of peace may have to be carried out by foreign Powers. It may be that this country, if invited by other Powers —it may be her duty to take part in the deliberations to which the rest of Europe may agree. I do not desire to offer any decided opinion upon the point, because we have had nothing to do with the war, we have nothing to do with the peace, and I think it may be a question whether this country ought to have anything to do with the arrangements for carrying the peace into effect. But, Sir, what have been the views of the existing Government in reference to that which is somewhat analogous to entering into a Congress with a view to the establishment of peace? We have had the declaration of a member of the Government as to the possibility of their being called on to mediate between the contending parties. The noble Lord the Member for the City of London, when speaking of the increase in our armaments, expressed an opinion that they were not only necessary, perhaps, for self-defence, but that they were also of great importance in giving weight to us with regard to our interference abroad. And similar language has been held by others of the noble Lord's colleagues. The right hon. Secretary for War used similar language when, in addressing his constituents, he said that "if called on to use our moral weight he assured them there was one thing of great importance, and that was what he termed our position as an armed power." And the right hon. Baronet, the Secretary of State for India, used language of considerable importance in reference to this matter. I was unfortunate enough, in quoting a speech of the right hon. Baronet on a former occasion, to meet at his hands with a direct denial of the accuracy of my quotation, and therefore I have on this occasion provided myself with the recorded words which the right hon. Baronet used. I find, then, that the right hon. Baronet used these words—

"If we are to exert, as I trust we may have an

> opportunity of doing, the functions of a mediator between contending Powers, depend upon it that the effect of mediation will not be diminished when it is offered by a country strong in its own resources, which does not approach merely in the shape of a beggar, but which can say to both sides, 'The line of conduct which it is our duty to pursue we are not merely seeking in *formâ pauperis*, but we are a powerful State and have a right to ask you to comply.'"

I find that there is a similar report in the other papers. What, then, I want to call the attention of the House to is this—that this is not language of conciliation. That is not the language of mediation; that is not the temperate language befitting a Power professing neutrality; that is the language of menace; that is language which, sooner or later, will compromise the position of this country; and it is language to which I feel I cannot forbear calling the attention of the House of Commons. What I want to convey to the House is, that if that is the spirit of Her Majesty's Government it is very possibly the spirit in which they will enter into the council chamber of Europe, if they should be called upon to take part in the deliberation on the treaty of peace; and I can conceive nothing more likely to bring us into hostility than using language such as that language which, as I have said before, is the language of menace and intervention; and I trust that the House of Commons, if that language is to be used, will take the earliest opportunity of expressing its disapprobation of it. I will not proceed further with this question. All I hope is, that in the events that are to come, Her Majesty's Government will avoid that system of interference and intervention which has so perilously distinguished our diplomacy in past times. It was only the other day that I was reading one of the latest speeches addressed to the constituency of Liverpool by Mr. Canning; and I think it is language that ought to be emphatically remembered by every one who has the charge of the foreign affairs of this country. He said, "It had been too much the fashion of late to mix up philanthropy and sentiment with questions of foreign policy, and that at the risk of being considered selfish and narrow-minded he was content to take his ground with reference to foreign questions on the mere consideration of what was English interest." That I hold should be the policy of Her Majesty's Government. That policy should not be a policy of mere philanthropy and sentiment; but it should be a policy of British interests—one becoming this country, one not menacing to others, but only firmly asking that which they believe to be to the interest and honour of our own country.

LORD JOHN RUSSELL (who was imperfectly heard): Sir, I certainly thought it quite unnecessary to take any notice of the speech that has been made by my noble Friend, who, having given notice of a Motion on this subject, seems to have reflected upon it, and to have come to the conclusion that he had much better not make it. I quite agree with him in that opinion, and certainly it is very harmless to indulge in a sort of triumph and jubilee when, in fact, he was at the same time retreating from the position which he had taken up. The noble Lord seems to have triumphed in considering that any wishes that my noble Friend and I might have had for freedom in Italy will be disappointed. That may be the case, but I sure I am not ashamed, and I do not think my noble Friend will ever be ashamed, of saying that our wishes were in favour of freedom in any country in which free institutions can be introduced. It is one thing to say that you will use the power of the country—that you will interfere with the means of a country, in order to introduce or to foster free institutions into another country, but it is another thing to rejoice whenever these free institutions prosper, and lament whenever they are blighted. The hon. Gentleman who spoke last has referred to Mr. Canning. I remember perfectly well the speech of Mr. Canning in this House upon the subject of the French invasion of Spain. The Spaniards had established free institutions in Spain. The French, at the bidding, or in concert with the despotic Powers of Europe, went into Spain to put down those free institutions. Mr. Canning declared that the policy of this country was neutrality; but at the same time he did not hesitate to say his wishes were that the Spaniards might be successful in resisting that invasion. The hon. Gentleman no doubt quoted Mr. Canning correctly; but, at the same time, Mr. Canning did not go beyond the line properly chalked out for the Minister of a free country in thus expressing his wishes, at the same time that he declared what the policy of the Government ought to be. The hon. Gentleman has referred to the conduct of the late Government. I am glad the noble Lord has not made it necessary for the House to discuss that conduct. I am ready to believe at all times that they were endeavouring, to the utmost of their power, with impartiality and care to preserve a neutral position and prevent the evils of war. I remember saying, when there was a question of the Earl of Malmesbury going to a Congress, that there was neither ability nor inclination wanting on his part to bring that Congress to a satisfactory termination. I said likewise, during the discussion upon the late vote of confidence, when the papers were not produced, that it was fair to presume that everything in those papers would be favourable to the late Government, and that, with the papers unseen it would not be justice to presume that those papers would make out a case of any want of impartiality and ability. If we had to go into all the particulars, there might have been certain points on which I might have said they had not taken the view which, in my opinion, was most likely to lead to a satisfactory result. I think that, especially in the beginning of this discussion with France, much might have been done that was left undone. I am glad not to enter into that discussion, or to have a debate on those circumstances. But then the hon. Gentleman, passing by the conduct of the late Government, thinks it fit with the very little knowledge he possesses, and with the little modicum of information that I thought it consistent with my duty to give, to find great fault with the present Government for the course which they have pursued. He refers to an instance for which I was blamed when advice was given to Prussia not to interfere, as we thought, prematurely in the war, and not to place herself in the ranks of the belligerents. In answer to that I quoted a despatch of the Earl of Malmesbury's, written in the strongest terms, in which the same advice was given. She was told that her coasts would be ravaged, and that England would give her no assistance. The more I inquired at the Foreign Office, the more strongly does that recommendation appear to have been given. It was sent to our Ministers at the German Courts, and it was even communicated to the German Ministers resident in this country, that their Courts might have full information of the views of the noble Earl, so strongly did he think it his duty to warn the German Powers against entering into this war. I do not regret the advice which Her Majesty's present Government gave to Prussia, to consider well and pause before she made herself a belligerent, if it had any effect in producing that moderate and, I think, wise course which Prussia has pursued. I believe that her refraining from entering at once into the arena of war did tend very greatly to circumscribe hostilities; and I believe that if she had entered at once into the war on the ground that the war was approaching the Mincio, it would have been difficult to say to what extent that war would have been carried on, or at what period peace would have been proclaimed. In a letter received this day from Naples I find it stated that the Government of that country was not disposed to enter into the war, but that if Prussia and Germany had entered into it public feeling was so strong that it would have been impossible to stem the torrent, and that Power would have joined in hostilities. I believe that then all Italy and all Germany would have been involved. I rejoice very much that peace is restored. The hon. Gentleman says it is a question whether we ought in any way to enter into a Congress upon it. That is a question of the utmost importance, but it is one upon which I think a premature opinion should not be pronounced. I understand that the Emperors of France and Austria are not completely agreed upon that subject, and at all events the question is not before us at present in a shape to justify us in attempting to decide upon it. It appears to me that the influence of England ought to be used, if it be used at all upon this subject, to confirm peace, to improve any treaty if it be possible to improve it; but it is no part of our duty to abandon that neutral and impartial position for which the hon. Gentleman takes so much credit to the late Government for assuming. For my own part, although I attribute great credit to the late Government, I must do justice to the present, and also to what I believe was and is the universal opinion of the people of this country. There were reasons, abundant reasons for that opinion. I ventured myself in addressing my constituents to state the case of both belligerents, and why I thought neither of them was entitled to the assistance of this country. I said likewise—and I am sorry to say that events seem likely to prove the truth of it — that I did not think the Emperor of the French in going to Italy was likely to consolidate the liberties of that country, at the same time it is impossible to lay down any particular rule beforehand for our guidance. The hon. Gentleman took credit to the late Government, which I am not going to dispute, but I deny that the credit of neutrality is entirely due to them. I can only say at present that we are bound to watch events narrowly, and, if we should be called upon by all Europe to consider any new treaty of peace that may be made, we are bound not to participate in any treaty which is not conformable to our notions of the honour, dignity, and freedom of this country. It is with a view to the maintenance of that honour and dignity that we are alone disposed to act. I can say nothing more at present, except that I am glad the noble Lord has abandoned his Motion, and that whenever it be desired to canvass the acts of the present Government I shall be quite ready to enter upon the discussion.

ROYAL MILITARY ASYLUM.

OBSERVATIONS.

General UPTON said, he rose to call the attention of the Secretary of State for War to the fact that a considerable portion of the buildings of the Royal Military Asylum at Chelsea have been diverted from the humane objects for the attainment of which they were originally erected; and to ask whether it is his intention that such portion or portions shall be restored to the purposes for which they were designed? The percentage of marriages in the army was about 7 per cent, so that there were about 15,000 married soldiers. The number of children admitted to the Military Asylum was only 60 per annum, so that a large number of children when their fathers died had no resource but the woful one of the workhouse. At present there was a great desire expressed to improve the condition of the soldier and to hold out inducements for men to remain in the service, and he thought nothing could so much enlist the affections of the men as the knowledge that their children would be received into a school of this nature. He did not press the right hon. Gentleman to do anything at present, but wished to draw his attention to the subject.

SOLDIERS AND THEIR BELTS.

OBSERVATIONS.

Mr. DARBY GRIFFITH said, he wished to draw the attention of the Secretary for War to outrages committed by soldiers off duty, with their belts, which they used as a substitute for the side-arms of which they were deprived some years ago. He might refer for an instance to the case of a soldier who, aided by a comrade, had seriously injured a policeman with his belt when taken into custody on suspicion of having some stolen property. Mr. Arnold, the police magistrate, in commenting upon the matter, observed that he had frequently called the attention of the authorities to similar cases, but that nothing had been done. He wished to know whether the subject had been brought under the notice of the War Department?

THE MILITIA COMMISSION.

QUESTION.

Captain D. O'CONNELL said, he would beg to ask the Secretary of State for War if he will place the Report of the Militia Commission in the hands of Members before he states the extent to which the Government will adopt the recommendations of that Commission.

Mr. SIDNEY HERBERT said, that in reply to the last question he would take care that the Report of the Commissioners should be in the hands of Members some time before the Militia Estimates were proposed. With respect to the subject which the hon. Member for Devizes (Mr. D. Griffith) had referred to, he (Mr. S. Herbert) had not had his attention called to it before, but no doubt accidents would sometimes happen in publichouse rows, in which almost anything could be used as a weapon, even if the soldiers were deprived of their belts. In answer to the question of the noble Lord (Lord W. Graham) he had to say that he found the soldier had formerly taken the oath of allegiance and also swore to the questions put to him by the magistrate. It appeared that the soldier was not liable to be tried for perjury by court-martial in respect of the oath. At present the soldier took the oath of allegiance and answered the questions of the magistrate by a declaration. He thought the more the practice of taking oaths could be modified the better, as their repetition made them regarded as mere matters of form. Before the next Mutiny Bill was brought in he would see how far the present system might be modified. With regard to the Military Asylum at Chelsea, it was natural that the gallant General should wish to extend the benefits conferred on the army by that institution. It was an error, however, to suppose that the establishment of the normal school had led to a diminution in the number of the children educated in the Asylum. At one time there was at Southampton a large school for girls in connection with it. That was given up, not from motives of economy, but because the objects for which it had been established were not attained. The boys' school, however, had been frequently reduced, and stood at its *minimum* in 1854 or 1855. In 1856 the normal school was founded, and a portion of the asylum was devoted to that purpose. Subsequently a very large addition of buildings was made for the normal school alone, and it was now one of the most valuable institutions they possessed; teachers received there the requisite training, and great benefit had thereby resulted to the army. Since the establishment of this school the number of boys at Chelsea had been increased. The gallant General asked why the number was not increased still further. He (Mr. S. Herbert) should be glad to do so, but at the present moment he was so anxious to devote all the money that could be spared in strengthening our national defences, that he did not like to look at these questions. The pressure of this and other matters was so great that he could not undertake now to give any pledge to increase the number of children in the asylum, though he should be glad to do so if it were in his power.

MR. W. WILLIAMS said, he had given notice of a Motion to submit the present Army Estimates to a Committee, but in consequence of the late period of the Session he did not expect that the House would entertain the question, although he was still strongly of opinion that they would never have any reduction of the Army and Navy Estimates until they were brought under the consideration of a Select Committee. The present Army Estimates amounted to the largest sum which had ever been asked of the House in a time of peace during the last forty years. When there was this large expenditure it would naturally be expected that the defences of the country were in a perfect state, but on that subject they had various opinions. Some people of a nervous character were never satisfied whatever amount of money was expended on the army and navy, and hon. Members connected with the army and navy were always very anxious to increase the amount expended. Now, he found that though the Army Estimates this year showed a decrease of 7,480 men compared with last year, there had been a considerable increase in the staff of the army. The Estimates for Army and Navy this year amounted to £13,800,000 more than in 1811, and £10,500,000 more than in 1852-3, the year before the Russian war. It was stated, however, the other night by an hon. and gallant Member that if the £12,859,000 voted for the army, independently of the militia, only £3,500,000 were expended on the real strength of the army, the fighting men. The home staff was £112,967 last year, and this year £131,900, being an increase of £19,000, although the number of men had been reduced by 7,480. A very large item in these Estimates was for the expense of inspectors-general to inspect the infantry. He thought with the number of able and gallant generals we had commanding districts there was a sufficient number of officers capable of performing this service, and that this item of expenditure ought not to be allowed. Again, a very serious item in those Estimates was for the expense of staffs in the Colonies. He found the staff expenses alone in Australia were set down at £17,300, as against £6,200 charged for the same service in the year 1853. That was a very large increase, and one that he really could not understand. Surely the Colonies were able to pay this outlay themselves if it were requisite, which indeed he greatly doubted. In Canada, the expenditure for the staff was £18,178, and in Hong Kong £7,041. These were items that were going on increasing year after year, and he hoped the right hon. Gentleman would turn his serious attention to them, with a view of bringing them within reasonable limits. He would also call attention to the enormous expenditure on barracks. In these Estimates there was upwards of a million of money required for the repair and erection of barracks. If those barracks were in a state to protect the health and comfort of the men there would be some reason in this; but it was in evidence, on good and high authority, that the barracks in this country were in a most inefficient state. He would not press the Motion of which he had given notice, but he hoped he had said sufficient to cause the right hon. Gentleman to give his serious attention to these subjects.

Motion *agreed to.*

SUPPLY.—ARMY ESTIMATES.

House in Committee.

MR. MASSEY in the Chair.

(1.) £414,537; Stores.

MR. HORSMAN said, it appeared to him that all the preparations which we were making with regard to fortifications and ships were comparatively immaterial when viewed in relation to the vast improvements which were being effected in artillery. Other Powers had furnished themselves to a great extent with artillery of a character that we had not. They were going on with their preparations upon a much larger scale than we were, and whilst we were building ships, constructing new fortifications, and accumulating enormous stores at Gibraltar and Malta, we had an inferior description of artillery to oppose to theirs. Now, the Armstrong gun had created a great deal of interest in the course of the past year; but he owned it was rather disappointing to learn that we should only possess 100 of them by Christmas next, and but 300 at the end of the present financial year. Considering how large a supply circumstances might render necessary, he must say that it did not appear to him that the manufacture was proceeding altogether satisfactorily. The reason of that was, he believed, that we had only a single factory at work; but he could not help feeling that if there were danger of any kind impending over us against which we were making preparations, we were making those preparations so slowly that we were neither prepared for war, nor had we all the advantages of peace. It was very evident, however, that if any danger at all was to be apprehended, it was a danger that was not very distant, and one which would also be somewhat sudden. We talked of making preparations, and being in a state of forwardness at the end of the financial year. Austria had talked in the same manner, but she found before the financial quarter was ended that she had a superior artillery opposed to her. He was anxious, therefore, that our preparations, so far as the present machinery went, should be accelerated. And he could not help impressing upon the Government that, whilst we were incurring great expense in every other branch of the military department, that which was the most important of all—namely, an improvement in our artillery—was the one in which we were not making a corresponding progress. He understood that the French had rifled all their old cannon; we, too, had a large quantity of old guns, and he should like to know if it were contemplated by the Government, pending the manufacture of the Armstrong gun, to rifle the guns of which we were already in possession? The artillery was that branch of the military service to which everybody attached the greatest importance; and he regretted to say, after looking through the Estimates, and listening to the explanation of the Secretary for War last night, that he did not think we were making the progress that we ought.

MR. SIDNEY HERBERT wished to remind the right hon. Gentleman that what he had said on a former occasion was that at the end of the present financial year we should be in possession of 300 Armstrong guns. After that time the manufactory would go on turning out two or three guns per day, so that at the end of the next financial year we should have a very large number indeed of those guns. He could assure the right hon. Gentleman that the Government were most anxious to push forward the manufacture of those guns, and very lately he had himself asked Sir W. Armstrong whether any sum of money which would enable him to procure additional labour or more rapid machinery, would assist him in the quicker production of those guns. To that question Sir W. Armstrong replied that he had every means, and as much machinery as he could possibly use, and that he could not make the guns any faster than he was doing. Sir W. Armstrong had two factories, one at Woolwich and the other at Newcastle, in constant work, and he believed that every exertion was being made to produce the guns as rapidly as possible. As to the question of rifling guns, his right hon. Friend was in error in supposing that the French had got all their guns rifled. Sir W. Armstrong was making experiments on the subject at that moment, and he hoped he would be successful. It was comparatively easy to rifle the brass guns, but more difficulty was experienced with the iron guns. Every effort would be made to overcome that difficulty.

CAPTAIN JERVIS said, that as a practical artillery officer, he wished to say a word on this subject. During the last three or four years there had been very great attention paid to what were called rifled field guns, and within the last year there had been introduced in France a sort of adaptation of the principle of the Lancaster rifled musket to field guns, but it had not been applied to anything beyond guns of a very small calibre. A great deal had also been said of the French rifled large arms; but he thought it was quite clear they had no such thing as rifled siege guns. No better proof could exist that the French rifled guns were not of the importance attributed to them than the fact that when the French were before the great fortresses in Italy, they felt that the taking of those fortresses was more than they could accomplish. Sir William Armstrong had done more for this branch of the service than any man who had ever existed. It was true he was a civilian, but it should be remembered that rifling guns had nothing to do either with the civil or military service. It was purely a question of mechanical contrivance; and, having some knowledge of the subject, he could assure the House that England was at this moment ahead of every other country in the world in the art. There had been a good deal said of employing these Armstrong guns in ships and adapting them for siege purposes. No doubt this might be accomplished, and would be in time; but the difficulties in the way were of a very serious character. Such an improvement would be the result of many years' experience, but even at the end of that time he had no hesitation in saying England would still be ahead of all the nations in the world in the art and manufacture of her artillery.

Vote *agreed to*, as were also—

(2.) £123,500, Fortifications, and

(3.) £23,450, Buildings.

(4.) £36,370, Barracks.

Sir HENRY WILLOUGHBY said, that the barracks at Aldershot seemed to have involved the most extraordinary accumulation of expense that had ever come before the House. Last night he asked the Secretary for War what would be the sum required to complete these barracks, and was told when the money was spent there was an end of it. Originally the total estimated cost of completing the barracks at Aldershot was £260,000. It had, however, gradually increased, and last year it was expected to be £400,000. Even then it was described as the total estimate "towards" the erection of barracks. In the Votes for the year 1859-60, which the Committee were now considering, the estimated cost for these permanent barracks, instead of being £400,000, amounted to £574,265, besides £40,000 for other items. He wanted to know what was the meaning of this continual increase in the estimated cost. It appeared to him that there was something radically wrong in getting up these Estimates, and there was the appearance of treating the House of Commons like children, who could not bear to hear the truth at once. The total sum proposed to be voted this year was £65,000, whilst last year it was said that the sum wanted to complete the whole work was only £20,000. He hoped that the right hon. Gentleman would be able to give the House some satisfactory explanation.

Colonel NORTH said, he wished to draw the attention of the Committee to the fact that last year a correspondence had been laid upon the table, on the Motion of the hon. and gallant Member for Westminster (Sir De Lacy Evans) respecting the deaths of a great number of officers and men belonging to a detachment of the 41st Regiment at Trinidad.

Sir HENRY WILLOUGHBY said, he rose to order. He wished to submit to the hon. Gentleman in the Chair whether this correspondence was relevant to the Vote before the Committee.

The CHAIRMAN said he had not yet gathered the spirit of the hon. and gallant Member's observations, but he had no doubt that they would be found applicable to the subject under discussion.

Colonel NORTH said, that he was proceeding to show that it appeared that 4 officers, 3 sergeants, 17 privates, and 10 women had died from yellow fever in that island, and the mortality was attributed to the state of the barracks. A letter from Dr. Macdonell, the Deputy Inspector General of Hospitals, dated Barbadoes, September 27, 1858, contained the following:—

> "I will this day recommend to the Commander of the Forces that the troops be kept for some time under canvass, purely that the St. James's Barracks is in the worst position possible. I may safely assert that if a premium had been offered to any person to select the worst spot he could in the neighbourhood of Port of Spain to erect a military barrack, the person who chose the ground for the present barrack would have been the successful candidate."

Another letter from Dr. Macdonell, dated the 27th of October, 1858, stated that—

> "Lieutenant Byham, of the 41st Regiment, who died of yellow fever, was attacked with that disease in barracks; he was acting as fort-adjutant, and having his office in barracks he preferred to remain there; it therefore shows that the disease, as yet, has confined itself to the barracks."

A letter from Dr. Macdonell of the 10th of January, 1859, stated that "a case of yellow fever proved fatal in barracks on the 5th of December." On the 25th January, 1859, Dr. Macdonell, writing to the Inspector-General, said:—

> "In a letter that I addressed to your office of

dated the 9th of May, 1857, you will find that I alluded to the foul air occasionally strongly perceptible in the immediate neighbourhood of the hospital, which was evidently caused by a closed sewer running across the front of the hospital. On my return to Barbadoes from my tour of inspection, the matter was brought to the notice of the Commander of the Forces, and some alterations were made in the sewer. The effect of my last letter, of date the 13th of January, 1859, to the Commander of the Forces is, that he has called upon Colonel Ford, commanding the Royal Engineers, to attend to my letter in its fullest extent. Colonel Ford informed me yesterday that he had estimated for the alteration he proposes, and if approved by the authorities at home, I think they will be effectual."

It appeared that as long ago as the 9th of May, 1857, Dr. Macdonell drew the attention of the authorities to the condition of a drain which ran in front of the barracks and in rear of the hospital. On the 25th of January, 1859, nearly two years afterwards, the attention of Colonel Ford, commanding the Royal Engineers, was called to the subject, but although estimates were made for the alterations requisite, neither that officer nor the Commander-in-Chief in the West Indies had the power to make such alterations without authority from home. It was altogether the most painful correspondence he had ever read, and he hoped the attention of his right hon. Friend, who had evinced such interest in sanitary measures, would be directed to this subject, and that immediate steps would be taken for the improvement of the barracks at Trinidad.

Sir HARRY VERNEY said, he could not but express his thanks to the hon. and gallant Member for bringing forward this matter, with the object of preventing the lives of our gallant soldiers being sacrificed. It was owing to want of liberality in that House and to the want of courage on the part of Ministers, to make the necessary demands, that military hospitals had been so badly constructed, and not to any remissness on the part of the military authorities. It was owing to the want of a feeling in former times, which now happily existed, of interest in our soldiers, and a determination that those who fight our battles should be well cared for. He trusted that the Government would take advantage of the feeling which at present existed for the purpose of adopting measures which would not only prove of advantage to the service, but would in the end prove to be those of true economy.

Colonel HERBERT said, the custom of the Indian Government was to authorize the officer commanding a station to expend

Colonel North

a limited sum of 200 rupees for the benefit of the troops, according to his discretion; and the major general commanding a division was, in the same way, authorized to expend a sum of £500. Might not some such regulation be adopted with advantage to the service in other countries?

Sir ANDREW AGNEW suggested that the officers' barracks should be furnished with iron bedsteads. It could be done at a trifling cost, and would save the officers much trouble in moving from place to place.

Lord CLAUD HAMILTON said, he thought the accounts might be stated in a clearer manner and in a way more easily understood by the uninitiated than at present. In some instances they appeared to be contradictory, as for example, when the cost of an establishment was set down at more than the sum estimated. Thus, on referring to the Vote for the new barracks at Gosport, he found the total estimate was put down at £95,000, but in the column headed "account already voted," he found £177,000.

Captain LEICESTER VERNON said, he had some knowledge of the barracks at St. James's, Trinidad, and he trusted the right hon. Gentleman the Secretary for War would consider whether it was not desirable to get rid of these barracks altogether. They were exceedingly handsome barracks, capacious, and well constructed, but they were situated at the end of a ravine, which was death. Even as a matter of pounds, shillings, and pence, the health of the British soldier was worth attending to. Every soldier who carried a firelock in the Colonies cost the country £100, and how easily 100 men were knocked down by disease he need not inform the House. He hoped the right hon. Gentleman the Secretary for War would seriously take into consideration the state of these barracks in the West Indies.

Mr. CAVE said, as a civilian, he could confirm the statement of the hon. and gallant Member in reference to the unhealthiness of St. James's Barracks at Trinidad. They were placed at the end of a swampy ravine, and as the wind always blew there in one direction, it carried to the barracks all the malaria collected in the ravine. When Sir W. Don was at Jamaica he moved the troops to Newcastle and the station on the heights; and as the yellow fever never ascended to a greater altitude than 1,000 feet above the level of the sea, the troops in those barracks were free from it. The same thing ought, he thought, to be done in Trinidad and Barbadoes.

CAPTAIN JERVIS said, that reports were made yearly by medical officers as to the healthiness or unhealthiness of the different places inhabited by troops in our Colonies, and he thought that it was very desirable that a summary of those reports should be presented to the House. In the United States he was very much struck with the benefit derived from the report of the senior medical officer annually presented to Congress. He did not want lengthy books, but a short, clear, exact summary in reference to healthy and unhealthy barracks, so as to give assistance in applying a remedy to the great evils which existed.

MR. SIDNEY HERBERT said, he would go through the question which had been raised in reference to the barracks, and he might premise that he was not then asking for any vote for Aldershot with the exception of a small contribution to the railway station. In reply to the hon. Member for Evesham (Sir H. Willoughby) he was unable, from any information before him, to say what would be the future cost of Aldershot; but this he knew, that they were good and comfortable, and he believed the cheapest barracks that had ever been raised. With regard to the new barracks at Gosport, he admitted that the Estimate as it stood was likely to create confusion; that arose from the fact, that if a sum voted was not all expended in the financial year, it was repaid into the Exchequer and a re-vote taken. This explained the fact that £177,000 had been already voted for these barracks; but if hon. Members examined the Estimate they would find the original Estimate was £95,000, the amount expended was £87,000. The amount to be voted this year was £4,804, and in the column amount hereafter to be voted was a blank. The sum now to be voted would complete the barracks, so they would be finished for £3,000 under the original Estimate. With regard to the case of Trinidad it was by no means new to him, and since his accession to office inquiries had been directed to be made whether it would not be wise at once to give up the old barracks, sell the materials and the site, and remove to a better situation. The barrack itself was magnificent and spacious, but when the sickness broke out a certain number of the men were encamped elsewhere. As a proof of the value of space and air, it might be mentioned that when the barrack was thinned of its occupants, the health of the remaining inmates instantly improved. No doubt the building of barracks at great altitude was beneficial for Europeans, but even in the better climates the worse consequences ensued from the neglect of ordinary precautions. A few years ago at Newcastle, when the altitude was very great, a natural hole or large pit close to the barracks was used for depositing filth, and yellow fever broke out in the neighbourhood. He heartily concurred in the suggestion that we ought every year to have an accurate summary of the health of the troops in their different stations; and when he was on the Royal Commission he urged strongly on the medical department of the army the propriety of establishing a statistical branch. Unless intelligible reports on this subject were regularly furnished, neither the military authorities, nor the public would have any proper security as to the health of the troops. The objection had been raised that this would suppy information relative to the strength of our force, which it would be more prudent to withhold. But anybody who opened the army list could see what was the amount of our force, and how it was distributed, and the information could be given without publishing the amount of the force. But as regards the health of the army, publicity was the true policy. It would stimulate the commanding officers, who were responsible for the health of their men, to do their duty; while it would also act as a spur upon the Secretary of State if he were liable to have questions put to him as to why it was that in certain barracks the morality was 10 or 11 per cent. when it ought to be only two or three. Since he came into office he was happy to say he had been successful in obtaining the sanction of the Commander-in-Chief to his proposal to establish a statistical branch to the medical department, and to the employment of Dr. Balfour, who had devoted his attention to medical statistics, as the head of that branch. From that eminent physician he hoped they would get useful and intelligible reports, which would enable the Government to act and the public to judge correctly in this important matter.

COLONEL LINDSAY said, he wished to call the attention of the right hon. Gentleman to the position in which officers of high rank found themselves from not being able to order such alterations as were absolutely necessary when emergencies arose. When such officers, for the good of the service had ordered such works to be executed, they were told that they had acted without authority and must pay the expense thus incurred from their own pocket. In the case of any other profession, when its members were wronged, they had recourse to the public press for redress; but the army never had adopted, and he trusted never would adopt, that mode of seeking a remedy for grievances. He wished to know whether there was any truth in the reports as to the proposed new barracks in London being given up. He had heard that there was some difficulty about the site. The Portman Street barracks were wretchedly inadequate. There could be no better sanitary measures than to provide suitable means of recreation for the troops. Fives courts, cricket-grounds, gymnasia and other facilities for bodily exercise should be generally provided in barracks. By making the men comfortable, healthy, and happy after they had entered the service we should be doing our best to attract fresh recruits to the army and prevent desertion. He was therefore glad to find that a Vote was to be taken this year for those purposes, though he could not see why it should be spread over two years.

Captain LEICESTER VERNON said, he wished to warn the Secretary for War that it would not do to offer facilities to general officers on foreign stations for incurring expense on works without making a reference home.

Sir HENRY WILLOUGHBY said, nothing could be more unjust than to charge the House with want of liberality in regard to barracks and hospitals. Money enough was voted, but it was badly spent. He would wish to have some explanation of the manner in which Government Estimates were usually prepared. The Gosport barracks, for instance, were estimated at £95,000, but a Vote was taken in respect of them for something like £177,000. The estimated cost of the barracks at Aldershot had been placed at £400,000 last year; it was now stated at £574,000. These were very loose Estimates, and he should therefore like to know who was responsible for them.

Mr. SIDNEY HERBERT said, he could not then account for the discrepancies, but he would make inquiries on the subject. With regard to the barracks for the Guards, the delay was owing to the difficulty in obtaining a site; he had directed the Quartermaster-General to make a report as to those proposed. One site, which the Commander-in-Chief approved of, was saddled with three Chancery suits, and therefore could not be taken. Two or three others were now under consideration. A gymnasium at Aldershot would soon be completed, and he hoped they would be established at other stations. The Commander-in-Chief, at his request, had directed an officer to proceed to Paris to inspect the system adopted at the Gymnasium there, and also to report on the new bayonet and sword exercise.

Mr. GRIFFITH said, he wished to draw the attention of the right hon. Gentleman to the evils arising from the internal and nocturnal arrangement of the barracks.

Mr. SIDNEY HERBERT stated that at the Wellington Barracks two or three methods of avoiding the evils arising from urine tubs were at present being tried, and he hoped that this nuisance would before long be got rid off.

Mr. W. WILLIAMS said, he could not but attribute a great portion of the expenditure under this Vote to the fact that persons were employed to select sites for barracks who were entirely unfit for that duty.

Colonel LINDSAY said, it was difficult to deal with the subject.

Sir JOSEPH PAXTON said, he wished to know what was now thought of the situation of Nettley and its adaptation for the purposes of a hospital, and what was to be done with it for the future? He wished also to know what had been done for the improvement of barracks throughout the country, the condition of which appeared before a Committee of which he was a member some years ago, to be such as to be attended with serious consequences to the soldier.

Mr. SIDNEY HERBERT said, his opinion of Nettley had always been that the situation was unfavourable to the purpose of a hospital, and that the erection to be raised on it would be expensive. He raised the question of the salubrity of the site a second time, and scientific men were called in, but they were unanimously against him, and he felt himself bound thereby. The hospital was now in an advanced state, and he hoped he should find by experience that his opinion was wrong. With regard to the barracks generally, he might state that a thorough inspection had taken place, and all requests with regard to ventilation had been complied with as soon as made. There was much want still, however, of further accommodation.

Colonel LINDSAY said, he would give

the War Department the credit of having very faithfully discharged the duty which they undertook some years ago of spending £40,000 a year in the improvement of barracks. That sum appeared this year in the Votes, and, according to a note appended, it appeared that it was to be expended in improvements for the accommodation of married soldiers—a very necessary and desirable object.

Vote *agreed to,* as also were the following Votes:

(5.) £1,825, Educational and Scientific Branches.

(6.) £13,370, Rewards for Military Service.

(7.) £41,067, Pay of General Officers.

(8.) £265,702, Pay of Reduced and Retired Officers.

(9.) £95,916, Pensions to Widows.

(10.) £24,433, Pensions for Wounds.

(11.) £17,734, Chelsea and Kilmainham Hospitals.

(12.) £595,380, Out Pensioners, Chelsea Hospital.

(13.) £73,903, Superannuations.

SUPPLY—CIVIL SERVICE ESTIMATES.

(14.) £657,155 Customs Department.

SIR HENRY WILLOUGHBY said, he wished to know how it was that the Estimates, as issued in March this year, showed a decrease on the whole amount £4,700,000 in comparison with those of last year of about £100,000, and the Estimates issued in June showed an increase of £16,000? He also wished to know whether, notwithstanding the change made in the theory of these departments, according to which the whole produce of the revenue departments was to go into the Exchequer, the salaries and expenses were not in fact paid by the departments themselves before the money came into the Exchequer? It was taking a great responsibility upon themselves to pay so large a sum of money without the vote of the House of Commons.

MR. LAING stated that the object of the change referred to was to bring this money more within the control of the House. No doubt the salaries were paid as the year proceeded, but then the House could check the repetition of anything it disapproved of in a future year. As to difference of amount exhibited in the Estimates, he could only say that the Estimates of March and June were both produced by the late Government. It would be seen that the increase was accounted for under each head. Under the head of Customs there was an increase of £7,800 upon an expenditure of £849,000. The principal increase had been in the Post Office Department, amounting to £25,000, which was chiefly owing to the increase of business and a slight addition to the wages of the letter-carriers. There was £9,000 for official postages, arising from an accidental increase of business.

MR. W. WILLIAMS said, he considered that the giving of these amounts in the Estimates was one of the most important reforms of modern times. Formerly these charges were deducted from the amount raised, and thus they were kept entirely out of the sight of the House. He thought that the civil service estimates ought not to be proceeded with, because they were only just in the hands of Members. He had had no time at all to consider them.

SIR HENRY WILLOUGHBY said, that he found two Estimates both professing to give the amount of the salaries and expenses of the Post-office department for the financial year ending March, 1859. The one was dated in March, and the other in June. The former gave a relative decrease in the amount of the salaries in the Post Office of £103,000 as compared with the amount of the previous year; while the latter gave an increase of £25,000.

MR. LAING said, he could only repeat that the estimates now before the House were the final estimates furnished by the Post Office, and adopted by his predecessor. All the items were given in great detail, so as to afford every information which any hon. Gentleman could require.

MR. DUNLOP said, he wished to call attention to the fact that certain officers belonging to the Customs in the Clyde ports were paid at a lower rate than the same class in Dublin, Bristol, and other places.

MR. LAING assured his hon. and learned Friend that he would cause the matter to which he had referred to be properly inquired into.

Vote *agreed to,* as were also the following:—

(15.) £1,049,864 Inland Revenue Department.

(16.) £1,551,213 Post Office.

(17.) £356,221 Superannuations.

MR. W. WILLIAMS said, he must protest against these enormous Votes being hurried through Committee in order that the Chancellor of the Exchequer might make his financial statement on Monday. He ventured to say that no Member of the

House had had time to examine any one of these Votes, which were not delivered till Wednesday last. His time had been wholly occupied in examining the thousands of items in the Army and Navy Estimates. He would move that the Chairman report progress.

Mr. FITZROY said, he hoped that the hon. Gentleman would not persevere in that Motion. These Estimates were ready for delivery on Saturday last. No new sums were asked for any considerable works. These were merely commonplace Estimates, and, as the Session was so far advanced, and hon. Members had had sufficient opportunity of ascertaining the character of the Estimates, he thought they ought to be passed without delay.

Mr. W. WILLIAMS said, these Estimates, during the administration of the late Duke of Wellington, amounted to no more than £2,000,000. They had since gone on increasing year after year till they were now between £6,000,000 and £7,000,000. He required time to examine them, and should persist in his Motion.

Sir HENRY WILLOUGHBY said, that the Chancellor of the Exchequer had appealed to them not to make long speeches on the Army and Navy Estimates, and he had thereby led many hon. Members to believe that the Civil Service Estimates would not be taken.

Sir JOSEPH PAXTON said, that several hon. Members he knew had left the House believing that these Estimates would not be taken, in consequence of the declaration of the Chancellor of the Exchequer that if the Naval and Military Estimates were passed, he would make his financial statement on Monday. He intended to call attention to some of the Civil Service Estimates, but he was not prepared to do so, as he had only learnt within the last quarter of an hour that they were to be proposed.

Mr. POLLARD URQUHART said, he thought that the period of the Session precluded anything like a careful examination of these Estimates this year. Perhaps the better way would be to let them pass, and defer examination until similar Estimates were proposed next year.

Viscount PALMERSTON said, there was no disposition on the part of the Government to press anything contrary to agreement. The Miscellaneous Estimates contained a great number of items, some of which no doubt the hon. Member for Lambeth would wish to examine in detail, but there were many without variation from former Votes, and surely they might make some progress, postponing those which his hon. Friend wished to examine with minuteness and care, and taking those only upon which no difference of opinion was likely to arise. Monday would be occupied by his right hon. Friend the Chancellor of the Exchequer, and if they could make some progress it would be very desirable.

Mr. W. WILLIAMS said, it was not voting money, it was throwing it away, if the House were to be forced to go on; and what he could do he should do to prevent it. The first Vote, that for the royal palaces, was most important and contained some very extravagant items, which he intended to oppose.

Mr. MACKIE said, he should be very sorry if the Government insisted on proceeding.

Viscount PALMERSTON suggested that they should read over the Votes, and withdraw those to which there was objection, or upon which hon. Members might wish to make detailed observations.

Mr. WILSON said, these Estimates were usually commenced on the first meeting of the House after Easter. It was now the 16th of July. If they did not go on they would find three weeks hence that, instead of having got through the seven books, they would only have got through three, and the other four would have to be hurried over at morning sittings, and when many hon. Members had left town.

Sir JOSEPH PAXTON observed that he was satisfied with the suggestion of the noble Lord, and he would appeal to the hon. Member for Lambeth to withdraw his Motion.

Mr. DODSON said, he did not quite understand the argument of the right hon. Gentleman the Member for Devonport (Mr. Wilson), that they were to hurry on now, lest they should have to hurry on three weeks hence, because he thought the objection was to the Estimates being hurried through the House at all. He was, however, content to accept the noble Lord's first proposition, to pass over Votes to which there were objections, taking only those of an ordinary nature which did not show an increase.

Mr. W. WILLIAMS said, he did not know what the Votes were, nor did the noble Lord himself. The Votes were the Votes prepared by the late Government, and it was a farce to pass them in this way. He was in the habit of comparing each Vote with the same of several preceding years, and it was only by these means that he could arrive at a conclusion whether they were reasonable or extravagant.

Viscount PALMERSTON said, that he did not pretend to say that he had looked over the Estimates, but his right hon. Friend and his hon. Friends on the Treasury bench were quite prepared to give every explanation. His hon. Friend the Member for Lambeth presented to the Government a rather awful prospect. If he were to be allowed the time necessary for him to get through seven or eight volumes of these Votes, and compare the items with the corresponding items for six or seven years past, they would not be finished until the middle of September. His hon. Friend had better have some confidence in the Votes proposed. Since they were the Votes of two Governments he might think there was some probability, at all events, of their being correct.

Sir HENRY WILLOUGHBY said, that he had just glanced over the items. He thought some of them very objectionable, and that there was ample ground for requiring time. For instance in the Vote for Royal Palaces there was an increase this year of £3,000, one of £15,700 for Marlborough House, and in Royal Parks of £24,000. The fifth item was the *vexata questio* of the Houses of Parliament. Now that the Naval and Military Estimates had been taken the Chancellor of the Exchequer might proceed with the financial statement.

Mr. FITZROY said, the increase of £15,000 in the Vote for Royal Palaces was necessary to prepare Marlborough House as a fitting residence for the Prince of Wales.

Motion made, and Question put, "That the Chairman do report these Resolutions to the House."

The Committee *divided* :—Ayes 19; Noes 61: Majority 42.

(18.) £41,988, Royal Palaces.

Mr. W. WILLIAMS: I beg leave to move that this House do now adjourn.

Viscount PALMERSTON said, he wished his hon. Friend would not persevere in his Motion. He had no objection to postpone this Vote if desired, but the only increase in it was accounted for by the necessity of placing Marlborough House in a suitable condition to receive his Royal Highness the Prince of Wales, to the expenditure for which purpose he felt assured his hon. Friend would not be disposed to object.

Mr. BUTLER said, he also would express a hope that the hon. Gentleman would not test the feeling of the Committee further. He had followed his hon. Friend into the lobby because he was left in the lurch, and because the Committee had certainly not had time to examine the Estimates; but he trusted, after having tested the feeling of the Committee, that the hon. Gentleman would now allow them to proceed.

Mr. W. WILLIAMS said, he did not know what his hon. Friend meant by observing that he had been left in the lurch. He had taken the course which he adopted simply with the view to discharge his duty to his constituents, whose pockets he had been sent to that House to protect.

Mr. BUTLER said, he had a full appreciation of the exertions of the hon. Gentleman, but then it was quite true that he had been left in the lurch, inasmuch as he had been supported by only nineteen Members in the division which had just taken place.

Mr. BALL said, he trusted the House, taking into consideration the present period of the Session, would not fritter any further time away, but would proceed with the Estimates.

Vote *agreed to*, as were also:—

(19.) £82,740, Public Buildings, and

(20.) £18,000, Furniture for Public Departments.

(21.) £58,525, New Houses of Parliament.

Sir HENRY WILLOUGHBY said, he wished to ask for some explanation in regard to this Vote, inasmuch as the Committee were told on the last occasion of a Vote being taken for the new Houses of Parliament that that would be the last occasion on which it would be applied for. Was there still to be an annual demand under this head?

Mr. FITZROY said, it would be seen on looking through the accounts that no new works whatever had been undertaken, or were contemplated, in connection with the Houses of Parliament. The two items of £4,000 for the completion of the western front of the clock tower, and £2,500 for expenses in connection with hanging the bells and fixing the clock, had been omitted from the accounts of last year, in which they ought to have been set down, as was stated by the Member for North Leicestershire at that time. He pledged himself that so far as he was concerned no new works were authorized without the sanction of Parliament; but there were certain necessary expenses for maintaining the edifice, which, though insignificant in themselves, presented a considerable amount in the aggregate. He had gone through these very carefully that morning, and he found that they disclosed no charge whatever of an improper or extravagant character.

Mr. BALL asked if £6,500 was required for the clock?

Mr. FITZROY said, that £4,000 of the Vote was for the tower.

Mr. BALL said, that they had been watching the clock anxiously for months. Sometimes it went, and sometimes it was still; sometimes it struck, and sometimes it refused. He wished to know if this Vote would complete the works?

Mr. FITZROY said, the item of £4,000 to which he had alluded had nothing to do with the reception of the clock, but was to cover the expense of completing the western front of the clock-tower, which had been left unfinished on the supposition that a wing corresponding to that at the other end would be erected, but the plan had now been abandoned. Hon. Gentlemen would see an item of £1,000 which was asked for on account of the clock, and, so far as he could ascertain, no further Vote would be requisite. Two hands were about to be substituted for those which were too heavy to go, but the cost of this alteration would be covered by the proceeds of the gunmetal of the discarded hands.

Mr. AYRTON said, he wished to call attention to the outrageous manner in which the ventilation of the building was conducted. Frequently when the House was very warm cold air was pumped in at the feet of the hon. Members, the effect of which was to drive the blood to their heads, and to produce those injurious effects which were so constantly complained of and which had often compelled him and others to leave the House. Then, recently, the most abominable odours had been pumped in through the holes and slits at their feet. The smell of the chloride of lime which was used was pleasant enough; but at other times the uncorrected atmosphere of the Thames was wafted through the floor, and then the effect was dreadful indeed. When they were paying £4,000 or £5,000 annually for what was called ventilation, they had, he considered, a right to expect that matters would be conducted in a more satisfactory manner. The fact was that the whole of the arrangements connected with the House were of the most incompetent and extravagant character. For instance, an enormous sum was wasted above their heads in forcing light through plate glass, whereas one-third of that light would be sufficient for the House if it were not placed outside the glass. This extravagant arrangement tended merely to gratify some one's caprice. But from beginning to end the whole building was nothing but a piece of mediæval folly. It carried them back 400 or 500 years with no other end than to deprive them of all the advantages which science had since placed at their disposal. Instead of ample light there was obscure glass, in order to imitate a period when the manufacture of glass was in its infancy; and although our manufacturers now produced the most beautiful crystal, the House was full of little trumpery pieces of glass a few inches square, inserted in lead casing, and dignified by the name of windows. What could have possessed the mind of any man, or any set of men, to insist that everything about the Houses of Parliament should accord with the ignorance of some hundreds of years ago, rather than with the advanced intelligence of to-day! And this was called the perfection of art! Why, ornaments of the most trumpery kind stared you in the face at every turn. Look at the absurd paintings within the House, which led many Members to attend very little to what was being done, while some could hardly rise to speak without having their thoughts distracted by the lions and the dragons, and the rest of it. This trumpery was repeated from one end of the building to the other. If some man at Birmingham had contracted to erect the Palace, one could have understood his reasons for casting the portcullis and the Tudor rose by the dozen, and for sticking them together afterwards, in all parts of the buildings; but that men should carve stone after stone with a repetition of the same design, that they should scribble the history of England in writing which nobody could read, so that the very policemen on duty had to say, "You must turn the other way, Sir, to look at that," passed all comprehension. Yet this was called decoration! It was a disgrace to the country to have erected such a building at all, and the ornamentation exhibited such an utter poverty of sentiment that if the matter had been left to a parcel of schoolboys they could not have devised anything more contemptible. He hoped the right hon. Gentleman would not sanction any further outlay on the absurdities that were called mediæval decorations, but that if they were to have decorations these would be characterized by true art, and that the walls would be properly painted, not in an equivocal manner between oil and scene painting, but in a style that would be creditable to the taste of this country, and he might add of Europe. He hoped likewise that if there was to be artificial ventilation it would be properly carried out, and that the air supplied would be, at least at a proper temperature.

Sir HARRY VERNEY said, he was a member of the Committee originally appointed to consider the question of a site for the Houses of Parliament, and that Carleton Terrace was the locality to which their attention was first directed. He added that, after the present site had been decided on, he had heard it said on high authority that one reason assigned for fixing it there was that of the facilities for escape which the river Thames would afford to Members in case such a necessity should ever arise. With regard to the mode of ventilation, he himself kept a pair of worsted stockings and gaiters for wear in the House, in order to protect his feet from the cold air.

Mr. CAYLEY said, that the hon. Member for the Tower Hamlets (Mr. Ayrton) complained of the ventilation of the house. That gentleman was not a Member of the House before it was altered. He (Mr. Cayley) remembered when gentlemen complained of cold to their heads instead of their feet, and when the gas was under the House and not out of it. He thought one of the greatest improvements in the House was the putting the lights outside. The hon. Gentleman complained of the foul air of the House, but he would say with the venerable Mrs. Glasse, "first catch your hare"—you must first catch good air before you could use it for the House, and you might get good air if the atmosphere was not polluted by the Thames. Unless the hon. Gentleman would provide them with fresh air, he defied Mr. Gurney or any one else to procure for the House pure air out of an impure atmosphere. The ventilation of the House was as good as it could be with the materials Mr. Gurney had at his disposal. The hon. Gentleman and his constituents were great economists, and he supposed next they would propose to pull down the Houses of Parliament and build them up again.

Lord FERMOY said, he remembered the different systems of lighting tried in the old Houses of Parliament. At one period it was lighted with gas, at another with lamps. He agreed in thinking that the present was a greatly improved method. The ventilation also, though it was still far from perfection, he believed to be much better than at a period when it was much more talked about. His object in rising, however, was to ask that some explanation might be given of an item of £7,500 for "indurating the stone of the Houses of Parliament," which he noticed in the accounts. He remembered that many years ago great trouble had been taken in choosing the stone for the House; Sir C. Barry, and a Committee under his directions, had examined every kind of stone in the kingdom, and had selected that of which the building was composed as the most durable. It now, however, turned out that they had built the edifice of rotten stone, and they had to pay for patching it up. He wanted to know what means were to be taken for indurating the stone. Would this sum of £7,000 be required every year? If so, one way, and the best in his opinion, to prevent the stone from decay would be to use the cement which had been applied to some parts of the building.

Mr. FITZROY said, he hoped that the charge of £7,000 for indurating the stone would not prove a permanent one. This unfortunately was no new subject. From some cause or other—either from the effects of the London atmosphere or from some inherent reason—the stone of which the Houses were built indicated a tendency to decay. That was particularly the case with parts of the building more exposed to the frost and wet than others. In more sheltered situations it did not show the same signs of decay. Various means had been tried to arrest that unfortunate tendency—one process, in particular, which had been invented by a Hungarian, who did not choose to inform the public of what the substance used by him was composed. A gentleman named Ransome had also been permitted to apply a process, well-known, to several parts of the building, and his (Mr. Ransome's) idea was that if that process were properly carried out it would answer the end in view. The stone of which the Houses of Parliament was built had been affected either by the London atmosphere or some other cause, and was rapidly crumbling, especially where it was exposed first to the action of wet and then of frost. Different methods had been tried to stop it, and the process which promised best was one invented by a Hungarian named Sczeroni. It might be satisfactory to the house to know that it was not intended to expend the sum voted. Experiments had been made, and the process invented by Mr. Ransome had been applied to several parts of the building. The opinion of those who had examined the stone after some time had elapsed, however, was not so favourable to his plan. It was thought likely to destroy all the chiselling of the stone work, and give the House the appearance of a painted building. Hon. Members might judge for themselves by looking over the Speaker's Court, which had been subjected to the Hungarian's process. It might be satisfactory to hon. Members, however, to know that it was not intended to expend the sum voted for the purpose without experiments. The matter remained in doubt when he (Mr. FitzRoy) acceded to the office he now held, and the question was put to the Treasury whether they would sanction a reference to some high scientific authority, with the view to ascertain, if possible, the cause of the decay, and some effectual remedy against the evil. The result had been a reference to Mr. Faraday, who with that high sense of generosity and honour which always distinguished him, said he could not think of acting professionally in the matter, or of accepting any remuneration, but that he would give the best opinion he could upon the subject. That gentleman spent some hours in examining the stone in different parts of the building, and as a result of his advice a portion of the building had been set apart under circumstances precisely similar for a trial of the processes of the two gentlemen whose names he (Mr. FitzRoy) had mentioned. Time alone, however, could decide the question; and it was under those circumstances that the Government had asked for the Vote to which the noble Lord (Lord Fermoy) had taken exception, on the assumption that the Hungarian process could be applied to the whole building. It was the most expensive. With reference to what had been said by the hon. Member for the Tower Hamlets (Mr. Ayrton), he had to say that he (Mr. FitzRoy) had nothing to do with the building of the Houses of Parliament or their decoration. With regard to ventilation, that was a difficult subject, and he believed that the plan of Mr. Goldsworthy Gurney was the best. It was difficult to obtain an equal temperature in the House towards morning, which was, he believed, the time that hon. Members suffered most from the ventilation; for, perhaps, after a debate in a full house of 400 Members, most of them streamed out, and that necessarily created a great change in the temperature. It was impossible that the most scientific ventilation could be complete, and he believed that Mr. G. Gurney did the best he could.

Sir BROOK BRIDGES said, much had been said about fresh air. Would they allow him to suggest that the ventilation in the lobbies would be greatly improved if one or two of the windows were made to open.

Sir ANDREW AGNEW begged to ask whether Sir G. Hayter's picture of the Meeting of the House after the first Reform Bill had been purchased, and if there was an estimate for it.

Mr. FITZROY said, he could not inform the hon. Gentleman. He had nothing to do with the pictures in the building.

Mr. TITE said, that the art decoration of the building was not in the hands of the architect, but of the Art Committee. He did not consider that the character given of the pictures by the hon. Member (Mr. Ayrton) was a just one. The artists had, he thought, succeeded very well in the frescoes; and frescoes were more permanent and durable than oil paintings when exposed to the atmosphere of London. So far as he had observed, all artificial systems of ventilation were a failure. Whether you had to ventilate a large room or a House of Parliament, the best way was to open a window. There was, however, a difficulty in opening the windows in the neighbourhood of the Thames. To that a remedy was being applied. He might state incidentally that 100 tons of lime were now poured every day into the Thames, and he was assured that the influence of this supply would be found very beneficial upon the river. When Mr. Gurney was able to open the windows on the side next to the Thames, a great improvement in the ventilation would be experienced. With the exception of Portland stone, almost all the stone used for building in the metropolis was subject to decay. It would be a most lamentable thing, in his opinion, if cement were had recourse to for the purpose of repairing the damage done to the surface of the stone by the atmosphere. The subject could not be in better hands than Dr. Faraday's, and no doubt under his care the best chemical protection would be adopted to prevent decay. He believed that Mr. Ransome's process was very moderate in point of expense, and that it would answer the purpose. The stone used was magnesian limestone, while the atmosphere of London was impregnated with sulphur and sulphuric acid, which was produced by the use of coal, but he believed a remedy might be found, and the decay of the stone arrested.

MR. AYRTON said, that there was quite sufficient space in the middle of the floor for the purposes of ventilation without bringing the cold air into the House under hon. Members' feet. The present state of the Thames had been brought about by the Government and the House of Commons, and the inhabitants of the metropolis had had nothing to do with it. He did not object to the House being illuminated from the ceiling, but it was absurd to use glass so opaque that the light could scarcely penetrate through it.

MR. J. H. GURNEY observed, that seeing a Vote of £4,000 for frescoes in the Estimates, he wished to remark that many of those in the upper lobby showed signs of injury from the dampness of the walls. Some means ought to be adopted to prevent the recurrence of similar injuries.

MR. CONINGHAM said, he had paid some attention to the subject of ventilation, and the ventilation of that House especially, and he found that great inconvenience arose from the want of a sufficient supply of air. In the House of Lords there were sixteen different doors upon the basement storey, while in the House of Commons there was but one door on the same storey. The result was that when it was heated a strong supply of artificial cold air was forced in, which caused a great alternation of heat and cold in the temperature. The lobby was not ventilated in the same manner as the House, and the air there was easily heated and became oppressive. In order to render the ventilation of the House perfect, a considerable further outlay was necessary. With regard to the material of the building, there seemed some fatality about our modern public buildings—St. Paul's, the towers of Westminster Abbey, and Somerset House, were built of the bright and cheerful Portland stone, and they had remained for years untouched by decay; and yet with that before their eyes, they had taken an inferior stone for that building. He believed all palliatives for arresting the course of the decay would fail, and he hoped it would be laid down as a rule that no public building in the metropolis should be built of anything but Portland stone.

MR. DARBY GRIFFITH said, he believed that the most efficient way of ventilating the House was that which they all adopted in ventilating a bed-room—namely, opening a window.

LORD FERMOY said, that with regard to preventing the decay of the stone, it was of course a mere matter of experiment. He suggested that there was no necessity to vote the whole of the £7,000 until the experiments had been made.

MR. FITZROY said, that the sum which he asked for was only sufficient to cover that portion of the stone which immediately required covering in case the experiment succeeded. Besides, every experiment must be made upon a sufficiently extended scale to afford any test.

MR. PEASE said, he wished to refer to the difficulty of hearing that hon. Members experienced in the House. In some positions hon. Members were completely debarred from knowing what was going on. Some of them came hundreds of miles to attend the House. They could not all sit near the officials and those who did not could hear nothing that they said. It was strange that those who designed that House should have ignored the excellent buildings in America and upon the Continent for Legislative Assemblies. He wished to know whether the account with Sir Charles Barry was closed?

MR. ALDERMAN SALOMONS said, that as they were talking about the Houses of Parliament, he would beg leave to ask, to whom they were indebted for the funeral notes which every hour struck upon the ear of the House? He hoped that the First Commissioner of Works, or Mr. Denison, or Sir Charles Barry, or whoever it was that was responsible, would try to make some alteration in the tone of the bell. It was too bad that the Members of that House and the people should be condemned from hour to hour to hear that dreadful noise, a noise which they could only expect to hear when the great bell of St. Paul's was tolled on the death of a member of the Royal Family.

MR. FITZROY said, the account with

Sir Charles Barry could not be closed as long as the repairs and alterations were going on as he received a commission on them.

Mr. Alderman SALOMONS observed, that the right hon. Gentleman had not given an answer with regard to the clock bell.

Mr. FITZROY said, he believed the bell was constructed with the greatest possible care by a gentleman who was supposed to understand the manufacture of bells better than any man in England. The combination of the metal was such as was calculated to produce the most harmonious tones. He was not a judge as to whether it had had that effect, but if the sound were an infliction, he was afraid they were likely to remain under it for a considerable time.

Mr. HANKEY asked, whether there was any chance of the bell sounding more like ordinary bells. At present it inflicted great annoyance upon the public and the House. He wished to know who was responsible?

Sir JOHN PAKINGTON said, he thought there was no hope that the bell would ever give forth any other sound, but he would suggest that a compromise should be made. It was said the other day that two faces of the clock would not go. Why should not an arrangement be made, that all the faces of the clock should tell the hour, and the horrible tolling should cease.

Vote *agreed to;* as were also the following Votes.

(22.) £19,130, Probate Court and District Registries.

(23.) £5,390, Embassy Houses, &c., Abroad.

(24.) £5,500, New Consular Offices, &c., at Constantinople.

Motion made, and Question proposed,—

"That a sum, not exceeding £174,000, be granted to Her Majesty, towards defraying the Expense of constructing certain Harbours of Refuge, to the 31st day of March, 1860."

Mr. BAXTER suggested that the Vote should be postponed, as many hon. Gentlemen who had paid great attention to the subject of harbours of refuge were not in their places.

Mr. BLACKBURN remarked, that an additional reason for the postponement of the Vote was, that certain returns relative to the subject were not yet before the House. It certainly was an odd way of proceeding, to vote money and then to get an explanation of the purposes to which it was to be applied.

Mr. FitzRoy

Mr. PEASE said, he also should support the adjournment, as he had been informed by an eminent engineer, that the expenditure on Alderney Harbour was not justifiable.

Mr. DODSON said, he should support the Vote. It was important that the works at Dovor should not be interrupted, because, if they were stopped, all the money hitherto spent would be wasted.

Mr. WARRE said, he must express a strong opinion that these harbours of refuge were among those objects of permanent utility and necessity which demanded the attention of every Government. He hoped they would soon be extended to the eastern coast.

Mr. NICOL said, that by the construction of the pier at Dovor, troops taken down by railway might be embarked on board ship without the intervention of any boats. So far as the works had gone, they had completely fulfilled the object in view, and he thought it of the utmost importance that they should be carried on rapidly and to completion.

Mr. MONSELL said, the request of the hon. Member for Montrose (Mr. Baxter) seemed to him to be a reasonable one; it was that the Vote should be postponed till they had further information. The original estimate for the harbour of Alderney was £600,000, but last year they were told that an alteration was proposed in the plan, which would make it cost £1,300,000. The Committee did not know which plan had been decided on; and it was therefore only reasonable that there should be some delay until they had had information laid before them on this important subject. At the same time he would observe, that there was the greatest difference of opinion among naval officers of the highest authority as to the value of these works, and he should, therefore, have great pleasure in supporting the proposition of his hon. Friend.

Mr. LAING said, he should be able to show the Committee that the Vote did not involve any of those large questions which would necessitate the notice required by his hon. Friend. The Votes which stood on the Estimates were not for new contracts, but were simply for the continuation of works that had already been largely carried out, and were in some instances nearly completed. The first was for the formation of a large jetty, stretching in the sea at Dovor, at an estimated cost of £650,000, and on which already a sum of £400,000 had been spent. That jetty, he should remark, formed no part of the large scheme for the great harbour of refuge that was estimated at £2,500,000. The great object of the present scheme was to have a station alongside of which large men-of-war could take in their stores and coals, and embark troops. The Admiralty considered that to be a work of the greatest importance. The works themselves were being rapidly completed, and the Vote now asked was only £34,000. The works at Alderney had been under the consideration of two successive Boards of Admiralty. The plan approved by the present Secretary for India (Sir Charles Wood), when he was at the Admiralty, involved an expenditure of £1,300,000, and the modifications of that system sanctioned by the late Board of Admiralty would have increased that expenditure by some £30,000 or £40,000. The expenditure would substantially be about £1,300,000. Upwards of £700,000 had been already expended upon these works, which could not be suspended without great inconvenience. The total Estimate for the habour at Portland was £932,000, of which £813,000 had been expended, so that the Vote now asked for was merely a Vote for the completion of the works. That being the case, he hoped the explanation would be satisfactory to the Committee, and that there would be no further opposition to the Vote.

SIR WILLIAM MILES observed, that the suggestion that the Government should postpone this Vote until the papers referred to in the Estimate were laid upon the table was so reasonable that he could not imagine on what ground they refused to accede to the request.

MR. BAXTER said, the Secretary to the Treasury had merely repeated an old story, which they had often heard before. He had a most distinct recollection of hearing the late Secretary to the Treasury state to the House last year that the Government had not bound themselves to this enormous expenditure of £1,300,000, and that they would not make the contracts for Alderney without a statement to the House. The original Estimate for the works at Alderney was £600,000; £800,000 had already been expended, and they were now informed that they were committed to the expenditure of £1,300,000. They had been told on a former occasion by a gallant Officer, after £700,000 had been spent upon Alderney, that there was only room in the harbour for seven or eight ships. He believed that the works at Alderney had proved a complete failure, and in order to bring the matter to an issue, he would move the reduction of the Vote by £75,000, the amount required for the harbour in that island.

Motion made, and Question proposed,—"That the item of £75,000 for Works at Alderney be omitted from the proposed Vote."

VISCOUNT PALMERSTON said, the hon. Member for Montrose (Mr. Baxter) had complained that the statement of the Secretary to the Treasury in defence of this Vote was merely a repetition of statements which had been previously made on the same subject; but that was an evil which could not be remedied. The hon. Gentleman might as reasonably complain that the same demonstration was given to a mathematical problem. The Government could only urge the best reasons for the construction of these harbours, which were not harbours of refuge, but military harbours, and it was impossible to invent new reasons without going beyond the verge of truth. He thought his hon. Friend (Mr. Baxter) had taken the right course to bring this question to an issue. The hon. Gentleman did not want explanation, for it had been given already, but he objected to the expenditure altogether, and the proper course was therefore to take the sense of the Committee upon the question. He (Viscount Palmerston) could only say that the construction of these harbours had been undertaken after most deliberate consideration, with the approval of the highest military and naval authorities, and after repeated discussions in that House. Large sums of money had already been spent upon the works, which were still incomplete, and if they were now suspended all the expenditure hitherto incurred would be entirely thrown away, and the country would be deprived of those military and naval advantages, most essential to the national defences, which these harbours were calculated to afford. With regard to Alderney, there could not be a more important position for the defence of this country. It might be invidious to go into that question now, but it was enough to remind hon. Gentlemen were Cherbourg was, and where Portland was. Alderney was one of the watch-towers of the country, and he thought it would be most prejudicial to the national security if these harbours were not completed as speedily as possible. It had been complained that the harbour at Alderney was not large enough, and with the view of correcting that defect his hon. Friend proposed to refuse any further grant for the works. If, however, the harbour at Alderney was not sufficiently large, it appeared to him that the better course would be to increase the Vote. He thought the right hon. Baronet opposite (Sir John Pakington) would admit the importance of the harbour at Alderney, but it was, of course, for the Committee to determine whether these important works should proceed, or whether, after so much expense had been incurred for a number of years, upon the advice of men whose opinions deserved consideration, they would by stopping the works render useless everything that had been done, and deprive the country of the means of defence which these harbours were calculated to afford.

LORD LOVAINE said, that upon investigation the late Board of Admiralty thought it advisable to propose a slight addition to the works at Alderney, and he must remind the Committee that a harbour which was not efficient was really of no value. This country must exhibit a striking spectacle to foreign nations. For ten years sums have been regularly voted for these harbours, and it had been established that they were works of necessity; yet every year Gentlemen were found doing all in their power to prevent them being made efficient. It seemed as if they delighted in undoing in one year what they had done in another.

MR. BLACKBURN said, the objection was not to the Vote but that the Committee were called upon to vote the money without sufficient explanation.

MR. HENLEY said, they had every year the reports of the engineers on these works, so that they were able to form an opinion as to what was going on. These reports had not been presented this year, and he did not understand why they should be asked to agree to this Vote till they had an opportunity of perusing them. The Secretary to the Treasury said there had been a modification of the Alderney Vote, but he should like to see the engineer's report on that modification. Why should the Vote not be postponed till the engineer's reports were in the hands of the Members?

VISCOUNT DUNCAN hoped the Vote would be postponed. He was anxious, for one, to see the report of Alderney, as he had been informed that a report had been sent to the Government to the effect that if the original plan were carried out the works would be so large that we should be unable to find troops to occupy them. If the Government would not assent to postpone the Vote, he would be under the necessity of voting against it.

VISCOUNT PALMERSTON said, he held in his hand the paper containing the explanatory statements that ought to have accompanied the Estimate. It was printed, but had not been delivered. If the House should wish to see that paper before agreeing to the Vote, there could be no objection to postponing the latter.

Amendment and Motion by leave *withdrawn.*

(25.) £80,000, Holyhead Harbour.

SIR STAFFORD NORTHCOTE said, he wished to direct the attention of the Secretary to the Treasury to the sum of £445,000, which was put down as the cost of a breakwater and piers for the accommodation of the packets. He would find that it was contemplated to expend a sum of £20,000 for a temporary pier for the accommodation of the Irish packets between Holyhead and Dublin; but the principal sum, namely, £430,000, was for a breakwater and a permanent pier, running into deep water, and capable of receiving vessels of large size. If, however, the point of departure for the Transatlantic steamers, as seemed to be now contemplated, was to be from a port on the western coast of Ireland it would be unnecessary to construct the large permanent pier at Holyhead, and in that case the sum of £20,000, with, perhaps, some extension, would be all that it was necessary to expend for packet accommodation at that port. He was anxious to direct the attention of the Secretary to the Treasury to this matter, as it involved a very large expenditure which it was important, if possible, to diminish.

MR. LAING said, he had seen the Report relative to this expenditure, and his most serious attention would be directed to it. He warned the House not to sanction the commencement of any work unless they were convinced it ought to be undertaken.

MR. GLYN said, that although there had been an increased estimate for the harbour at Holyhead, the increased accommodation for the public was more than commensurate with the increased expenditure. He only wished that all the public works had been executed so well as those at Holyhead.

Vote *agreed to.*

(26.) £20,403. Port-Patrick Harbour.

MR. DUNLOP observed that this sum

would not make the harbour a fit harbour of refuge, and the money would be flung away. He thought the Vote should at least be postponed to enable hon. Members to read the papers on the subject, which showed that a better harbour would be found at Lock Ryan at a distance of only two miles.

SIR ANDREW AGNEW said, he must remind the Committee that the money for a railway had been subscribed in the district, on the faith that Government would put this harbour into working order.

MR. BAXTER said, he would move that the Chairman report progress, as he was anxious that the Government should not begin new works, of which they could not see the end. If these expenses were once begun, they might depend that additional sums would be asked for next year. Besides it was well known that Portpatrick would never make a safe harbour.

MR. LAING said, he must admit that the faith of the Government was pledged to this Vote, as there was a bargain between the Government and the railway; that if the railway were made Government would expend £20,000 for the improvement of the harbour.

SIR STAFFORD NORTHCOTE said, he could confirm the statement of the hon. Gentleman (Mr. Laing). The bargain was made by the Government preceding the last. He thought the public faith was pledged to the Vote, as the railway company had already gone to considerable expense.

MR. BAXTER said, under those circumstances he would not press his Motion to report progress.

Vote *agreed to.*

(27.) £70,421, Public Works (Ireland).

MR. BLACKBURN said, he wished to call attention to the item of £10,000 for Dublin Castle and the Phœnix Park buildings, and to express a hope that the Government would seriously consider whether Ireland could not be better and more economically governed by being treated as a part of the Imperial dominions, and by the withdrawal of the viceregal establishments.

LORD FERMOY observed, that he did not agree with the hon. Member, as he thought it was desirable that the office of Lord Lieutenant ought to be kept up on the principle that he was opposed to the principle of centralisation.

Vote *agreed to,* as were also the following Votes:—

(28.) £68,959, Officers, Houses of Parliament.

(29.) £34,600, Treasury.

(30.) £17,911, Secretary of State, Home Department.

(31.) £42,800, Secretary of State, Foreign Department.

(32.) £21,178, Secretary of State, Colonial Department.

(33). £10,593, Privy Council Office.

(34.) £33,942, Committee of Privy Council for Trade.

(35.) £1,720, Lord Privy Seal.

(36.) £3,855, Civil Service Commission.

(37.) £13,762, Paymaster General.

(38.) £4,898, Comptroller General of Exchequer.

(39.) £19,746, Office of Works, &c.

(40.) £13,514, Office of Woods, &c.

(41.) £9,498, Public Records, &c.

(42.) £223,369, Poor Law.

(43.) £25,052, Mint.

(44.) £13,925, Inspectors of Factories, &c.

(45.) £3,179, Queen's Remembrancer (Scotland).

(46.) £4,431, Household of the Lord Lieutenant of Ireland.

(47.) £15,904, Secretary to the Lord Lieutenant of Ireland.

(48.) £5,204, Paymaster of Civil Services (Ireland).

(49.) £1,709, Inspectors of Lunatic Asylums in Ireland.

(50.) £16,105, Board of Public Works (Ireland).

(51.) £22,466, Auditing of Public Accounts.

(52.) £12,621, Copyhold, Inclosure and Tithe Commission.

(53.) £8,680, Inclosure and Drainage Acts.

(54.) £26,300, General Register Office.

(55.) £2,296, General Register Office, Dublin.

(56.) £3,302, Registrar General Edinburgh.

(57.) £10,652, National Debt Office.

(58.) £1,300, Public Works Loan Commissioners.

(59.) £670, West India Islands Relief Commissioners.

(60.) £2,642, Commissioners in Lunacy.

(61.) £723, County Roads, South Wales.

(62.) £1,128, Registrars of Friendly Societies.

(63.) £22,000, Secret Services.

(64.) £237,111, Stationery, Printing &c.

Mr. WALPOLE said, that a reduction had been effected under this head in pursuance of the recommendations of the Committee that sat on this subject. He wished to know whether the attention of the right hon. Gentleman had been called to the fact that the patent of the Queen's Printer expired at the end of this year, and to ask whether the Government would be prepared to state the course they proposed to take with reference to that state of things before the prorogation?

Sir GEORGE LEWIS said, his attention had been called to it in connection with the other question relating to the printing of the Bible and Prayer-book, together with Acts of Parliament and Proclamations. It was probable that as regarded the printing of Acts of Parliament and the like, it would serve the ends of economy to make another arrangement than now existed with the Queen's Printer. Inasmuch as an authorized publication of the statutes was made legal evidence it was necessary that a certain copy of them should be printed in an authentic shape, and provided security were taken for that purpose the privilege of the Queen's Printer in printing the statutes need not be continued in the present form. Before the close of the Session he would endeavour to state to the House the course which the Government proposed to adopt.

Mr. HADFIELD said, he would appeal to the right hon. Gentleman whether the same argument did not hold good as to the Bible. Why should it be thought that monopoly in it contributed to cheapness?

Sir GEORGE LEWIS explained that he had stated on a former night that the cheapness at which the Bible was printed was owing not to any monopoly that was enjoyed by the Queen's Printer, but to the active competition which was carried on between the Queen's Printer and the two Universities, the effect of which was that a Bible was sold for 8d. and a copy of the New Testament for 4d.

Mr. WALPOLE said, he believed that the two objects of accuracy and cheapness, both of which were of equal importance in printing the Bible, had been attained by the active competition which existed between the Queen's Printer and the Universities; but the printing of Acts of Parliament and other public matters done by the Queen's Printer rested upon a different foundation, and there was reason to believe that they could have Acts of Parliament if not better at least more cheaply printed under new regulations than at present.

Mr. DUNLOP said, the fact was that cheapness was never attained until the monopoly was thrown open in Scotland.

Vote *agreed to*, as also were the following:—

(65.) £76,750, Postage of Letters.

(66.) £31,545, Law Charges.

(67.) £150,000, Prosecutions.

Mr. HENLEY said, he wished to ask if there was any hope of getting the accounts of counties paid up closer than they were at present, for they had now fallen three half-years in arrear.

Mr. LAING said, he understood that in some cases payment had been delayed in consequence of a Commission now sitting on the subject. It would make its report, however, in a few days, and he would then take care that the matter should be looked into.

Mr. WILSON said, that some years ago abuses did exist on the subject, but inquiry had taken place, and although it had not been found necessary to introduce a new system, the accounts were now subjected to examination, and the charges were regulated under the authority of the Secretary of State for the Home Department.

Sir STAFFORD NORTHCOTE said, that the system had been the cause of considerable incovenience, but it had been modified, and he hoped that when the arrears were wiped out things would go on in a regular way.

Vote *agreed to*.

(68.) £164,275, Police (Counties and Boroughs) and Police in Scotland.

Sir WILLIAM MILES suggested that the number of men should be stated.

Sir GEORGE LEWIS said, it would appear in the report.

Vote *agreed to*, as were also the following Votes:—

(69.) £1,500, Crown Office, Queen's Bench.

(70.) £4,300, Registrar of Admiralty and Admiralty Court (Dublin).

(71.) £5,176, Insolvent Debtors' Court.

(72.) £22,740. Court of Probate and Divorce and Matrimonial Causes.

Mr. HADFIELD inquired whether credit was given to the public as the lives of those who had compensation fell in.

Mr. LAING explained that this Vote did not include any amount for compensation, but was for the current expenses only.

Mr. AYRTON said, he hoped the Government would give some assurance that steps would be taken to clear off the great increase of causes in this Court.

VISCOUNT PALMERSTON said, that the subject had occupied the attention of the Government, and that a measure would in all probability be introduced on the subject this Session for the purpose of increasing the judicial strength of the Court.

Vote *agreed to.*

(73.) Motion made, and Question proposed,—

"That a sum, not exceeding £126,150, be granted to Her Majesty, to complete the sum necessary to defray the Salaries and Expenses of the County Courts, to the 31st day of March, 1860."

VISCOUNT DUNCAN said, he should move that the Vote be diminished by £85,000, the amount alloted for building and providing court-houses, offices, stationery, and printing. The ground upon which he did this was, that there was no provision for finding court-houses for the Sheriffs' Courts of Scotland, and this he thought was unfair, when such advantages were afforded in England.

Motion made, and Question proposed,—

"That the sum of £85,000, on account of the Expense of building and providing Court Houses, Offices, Stationery, Printing, &c., be omitted from the proposed Vote."

MR. LAING said, the Vote in question was necessary under an Act of Parliament; and, as to the courts in Scotland, the Lord Advocate would take the matter into consideration.

MR. DUNLOP said, that the subject had been under consideration for years, and that the Government should be prepared to act in the matter.

THE LORD ADVOCATE said, the business in the Sheriffs' Courts was formerly conducted by pleadings, but, as the evidence was now given orally, larger accommodation was required. The question as to the funds out of which that accommodation should be provided was under the consideration of the Government.

MR. BAXTER said, he thought the Government ought to give a distinct pledge that early next Session they would bring in a Bill to put Scotland exactly on the same footing as England in this respect.

MR. HASSARD said, he objected to the entire Vote. The expenses of the Civil Bills Courts in Ireland were paid either by the suitors or the counties. The construction of the buildings was paid for out of the county-rates.

THE CHANCELLOR OF THE EXCHEQUER said, the question raised by the noble Lord (Viscount Duncan) would be considered by Government, and an attempt made to bring about an equitable adjustment between the two countries.

VISCOUNT DUNCAN, said he was willing to withdraw his Motion if the Government would give an assurance that a Bill on the subject should be brought in.

MR. STEUART said, he hoped that when the question of building the Sheriffs' Courts came before the House, some endeavour would be made to decrease the judicial expenses in Scotland, which comparatively were greater than in England.

MR. CUMMING BRUCE advised the noble Lord, after the statement of the Chancellor of the Exchequer, to withdraw his Motion.

Motion by leave *withdrawn.*

MR. HENLEY asked whether the fees payable in the County Courts were paid in money or in stamps, and suggested that the latter was the preferable mode.

THE CHANCELLOR OF THE EXCHEQUER replied that he would obtain information, and give an answer to the question on a future day.

Original Question put, and *agreed to.*

The following Votes were *agreed to:*—

(74.) £14,130, Police Courts.

(75.) £90,610, Metropolitan Police.

(76.) £2,500, Queen's Prison.

House resumed.

Resolutions to be reported on *Monday* next.

POOR LAW BOARDS (PAYMENT OF DEBTS) BILL.

MOTION FOR SELECT COMMITTEE.—DEBATE RESUMED.

Order read, for resuming adjourned Debate on Question [14th July], "That the Bill be committed to a Select Committee."

Question again proposed.

Debate *resumed.*

MR. C. P. VILLIERS said, that if there was likely to be a discussion he would postpone it.

MR. CRAWFORD said, that in reply to some observations of the hon. and learned Member for Southwark (Mr. John Locke) on a previous night, he must deny that the creditors of the City of London Union had been parties to the postponement of the payment of their debts. Altogether there was due from the City of London Union to the creditors a sum of £13,366. The difference between that sum and £23,000 or £24,000 arose from other circumstances, but did not consist of debt.

Of this £13,366, £4,207 was due to the Treasurers, who had advanced that amount on its having been represented to them that the people would be turned out of doors if the money was not forthcoming. The whole of the debts due by the City of London was due for necessaries supplied to the Union at a time immediately antecedent to the litigation — which had been supplied by public tender in the usual manner and on the full assurance that they would be immediately paid for. There was no idea whatever of delay in the minds of the parties who supplied the articles, and yet they had not been paid. The opinion of the Court of Queen's Bench had been overruled unanimously by the Court of Exchequer in Error, and one of the Judges in his judgment had intimated that it was for that House to afford a remedy. The parties were now before the House in search of that remedy, and he trusted that from what he had stated, the case stood before the House in a different light from that in which it had been put by the hon. Member for Southwark.

Mr. HENLEY said, he hoped the right hon. Gentleman would consent to postpone the Bill.

Mr. JOHN LOCKE said, he rose to reply to some observations made by the hon. Member for the City (Mr. Crawford).

Mr. SPEAKER said, the hon. Member was entitled to explain anything which deserved explanation in what he had said, but having already spoken he could not reply.

Mr. JOHN LOCKE: Then I move the adjournment of the House.

Mr. SPEAKER: The hon. Member having spoken already in the debate has not the power of speaking again or making that Motion.

Debate *further adjourned* till *Monday* next.

MUNICIPAL CORPORATIONS BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Sir GEORGE LEWIS said, the effect of this Bill was twofold. In the first place, it substituted a declaration for the declaration which on the abolition of the Test and Corporation Acts was substituted for a sacramental test. It was intended for the protection of the Established Church, but how far it would accomplish the object might be seen by the declaration itself. By the existing declaration all municipal officers testified on the true faith of a Christian that they would never exercise any power or authority with which they were invested to injure or weaken the Protestant Church as by law established, or to disturb the said Church, or any Bishop of the said Church, in the possession of any right or privilege to which they were or might become entitled. The second clause of the Bill repealed the statute of George I., by which municipal officers were prohibited from attending any place of worship other than one of the Established Church in their official dress or the badges of office. He was not prepared to say that either of these two clauses afforded any substantial security to the Established Church, but there was no complaint that any inconvenience was experienced by their existence. It was for the House to say whether they would agree to the Bill.

Mr. SOTHERON ESTCOURT said, he was of opinion that the House should not agree to this Bill without very full consideration. He hoped, therefore, the hon. Member would agree to the adjournment of the discussion to give the House an opportunity of reading the Bill.

Sir WILLIAM MILES said, he would remind the House that in some cases corporations enjoyed church patronage.

Mr. GILPIN said, he hoped his hon. Friend would not divide the House now, because the question, as put, would not decide the issue which he wished to raise. The right hon. Gentleman opposite stated that he had not an opportunity of understanding the Bill, and his hon. Friend ought to give him that opportunity.

Debate *adjourned* till *Tuesday* next, at Twelve o'clock.

THE SELECT COMMITTEE.—PACKET AND TELEGRAPHIC CONTRACTS.

Mr. BUTT (who had on the paper a Motion that this Committee do consist of twenty-one Members, and that Sir E. Grogan and Lord John Browne be added thereto,) said, he shared in the feelings of many Irish Members that generally, in the nomination of Committees in this House, Irishmen were not fairly represented. The Galway contract excited strong interest in Ireland and it was hardly fair that two Irish Members only, and they ex-officials, should be appointed to serve upon it. He begged, therefore, to move the increase of the Committee from nineteen to twenty-one Members.

MR. HENNESSY seconded the Motion.

Motion made, and Question proposed, "That the Select Committee on Packet and Telegraphic Contracts do consist of twenty-one Members."

THE CHANCELLOR OF THE EXCHEQUER said, he regretted that he could not accede to this proposition. He had on a former occasion stated that no jealousy existed on the part of the House as to the representation of Irish Members upon Committees. In this instance his hon. Friend could not get rid of the idea of the Galway contract, but, although that might of itself have rendered inquiry necessary, an investigation must equally have taken place into the whole subject of such contracts even if the Galway case had never arisen, and six years ago the necessity of instituting such an inquiry was recognized. The effect of the Motion would be to place on the Committee two Gentlemen pledged beforehand to support the Galway contract. Now, there were already four Gentlemen on the Committee who, as Members of the late Government, would avowedly sit there as defenders of that contract, and the public jealousy would be justly aroused if they tampered any further with the constitution of the Committee. There was a direct objection moreover to one of the names proposed—Lord John Browne—as he was connected with the locality, and the Government had studiously avoided any selection of Gentlemen who might be supposed to have a local bias. All the Members of the late Government were Irish Members for the purposes of the Galway contract, and if they were disposed to make two seats over to his hon. Friend the Government would have no objection.

LORD JOHN BROWNE said, he was not aware it was intended to propose his name. He admitted he was as much prejudiced one way as the hon. Member for Montrose (Mr. Baxter) the other, and if they were both on the Committee the fairest thing they could do would be to pair off. He begged to say he had no local connection with Galway.

COLONEL DUNNE said, it might be, as the Chancellor of the Exchequer had stated, that the Irish Members were interested in favour of the Galway contract, but he would ask if it was not the fact that there were Members on the Committee quite as strongly interested the other way? What he, in common with other Irish Members, wanted was that they as a body should be fairly represented in the constitution of the Committee. He for one did not exactly like to be governed after the manner of the Ionian Islands.

VISCOUNT DUNCAN said, he would remind the House that the petition of Sir William Russell, against the return at the last election for Dover, contained certain allegations in reference to the Dover contract, and he would therefore suggest that that Gentleman's case might be prejudiced if that contract were made the subject of inquiry before the Election Committee had tried the allegations in his petition.

MR. WHITESIDE said, that although the Chancellor of the Exchequer was acting quite justly in placing some of the accused on the Committee, he would remind the right hon. Gentleman that there were other interests involved in this matter than those of the late Government; namely, the interests of the commercial world in Ireland, and it was not a little remarkable that not a single representative of any commercial place in that part of the kingdom had been placed upon the Committee.

Question put.

The House *divided*:—Ayes 47; Noes 134: Majority 87.

ENDOWED SCHOOLS BILL.—THE SELECT COMMITTEE.

MR. DILLWYN said, he rose to move, that the Select Committee on the Endowed Schools Bill do consist of seventeen Members, and that Mr. Longfield and Mr. Butt be added to the Committee. He was anxious to obtain the assent of some Roman Catholic Gentleman to sit upon the Committee but could not succeed.

MR. HENNESSY said, he considered that this Committee had been unfairly selected. It was unfortunate that the hon. Gentleman did not think it necessary to appoint originally any Roman Catholic Gentleman to sit on this Committee.

LORD NAAS said, he thought it would be desirable to postpone the naming of the two Gentlemen, as he believed the Roman Catholics of Ireland took a great interest in the question.

Ordered, That the Select Committee on the Endowed Schools Bill do consist of seventeen Members.

UNIVERSITIES (SCOTLAND) BILL.

LEAVE. FIRST READING.

MR. DUNLOP said, he rose to move, that the House do resolve itself into a Committee to consider a Bill to remove doubts as to admission to the office of principal in the Universities of Scotland.

Acts [16 & 17 *Vict.*, c. 89, and 21 & 22 *Vict.*. c. 83] read.

Motion made, and Question proposed, "That this House will immediately resolve itself into a Committee to consider the said Acts.

MR. BAILLIE COCHRANE said, he was opposed to proceeding with such an important Motion at such a late hour of the morning (half-past one o'clock). He would, therefore, move the adjournment of the House.

Motion made and Question proposed, "That the Debate be now adjourned.

THE LORD ADVOCATE said, he thought it most unreasonable to oppose the Motion, as the object of it was merely to introduce a measure to correct an admitted mistake in the phraseology of the Act in reference to the Scotch Universities.

The House *divided* :—Ayes 10, Noes 54: Majority 44.

Question put.

Acts *considered* in Committee.

(In the Committee).

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to remove doubts as to admission to the office of Principal in the Universities of Scotland.

House *resumed*.

Resolution *reported*.

Bill *ordered* to be brought in by Mr. CLIVE, Mr. DUNLOP, and Mr. BAXTER.

Bill *presented* and read 1°.

The House adjourned at a quarter before Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 18, 1859.

MINUTES.] PUBLIC BILLS.—1ª Marriages; Registration Acts Consolidation; Bills of Exchange and Promissory Notes; Executors and Administrators, &c.; Aliens.

AFFAIRS OF ITALY.—AUSTRIA AND FRANCE.

THE EARL OF MALMESBURY said, he had given notice to his noble Friend the President of the Council of his intention to ask a Question that evening with reference to the authenticity of an important despatch which had appeared in some of the public prints. It was stated to be a despatch written by Lord John Russell, on the 22nd June, to Lord Bloomfield, our Ambassador at Berlin. This was not the first time their Lordships had heard of this document; about a fortnight ago he quoted a speech made by Sir Charles Wood at Halifax, in which that right hon. Baronet referred to a despatch apparently resembling very much the one which was now alleged to have been sent to the Court of Prussia. When he formerly, remarking that despatch, described it as one giving strong advice to Prussia to prevent her interfering in the war then going on, he felt that in that despatch Her Majesty's Government had somewhat left that path of neutrality which he thought so desirable, and had taken on themselves the responsibility that all counsellors must undertake who give advice unasked. On that occasion the noble Duke opposite (the Duke of Newcastle), in reply said:—

> "My noble Friend has enjoyed within the last few days a privilege which has been wanting to me—I mean leisure to read election speeches. Until, therefore, he quoted just now the speech of my right hon. Friend (Sir Charles Wood), I was not aware of the words which are said to have fallen from him, and I am not able to state whether they are accurately reported. Probably the report is perfectly accurate. If so, I can only say that the despatch which must have been alluded to does not bear the construction which my noble Friend deprecates, and that whenever the papers are laid before the House it will be found that we have not exposed ourselves to the dangers which he has very rightly pointed out."

The danger which he (the Earl of Malmesbury) on that occasion pointed out to the House, and the danger to which he again desired to call attention, was — as he had just stated—that by giving counsel to Prussia, Her Majesty's Government made themselves responsible for the results which might arise, in case it were followed; because Prussia might hereafter say that the advice of Her Majesty's Government had prevented their taking the measures which they thought best for their own interests. Now, if the despatch which had appeared that day in the newspapers was correct—if that was really the despatch to which Sir Charles Wood alluded, and on which he had observed — he did think that the description which the noble Duke gave of it was not exactly a correct one, and he could not help thinking that his noble Friend could scarcely have perused it at the time he spoke. The despatch was a long one, and he thought he should hardly be justified in reading it in its entirety to the House; but he might say it was a despatch giving strong advice to the Prussian Government not to enter into the war. It argued against their doing so; it told the Prussian Government that there was no ground for their entering into the struggle; and it argued that the fortresses in the Venetian territory, which not merely the German States, but the German people looked on as the bulwark at that side of Germany, were not in reality so; that they were not necessary to the safety of Germany; that the apprehensions which they entertained were unfounded, and had not sufficient force to justify interference on their part in the war. The noble Lord in his despatch said:—

> "The reasons adduced in favour of a war on the part of the German States thus being insufficient, very strongly resist so precipitate a course. The Prince Regent of Prussia will, in his wisdom, weigh the impolicy of exposing his country to be considered the champion of the maladministration of Italy. It cannot be necessary for the safety of Berlin and Magdeburg that the Government in Milan and Bologna should be bad. But in the eyes of the Italians, Prussia, should she appear in arms by the side of Austria, would be considered as a defender of everything Austria has committed and omitted."

But not only did the noble Lord at the head of the Foreign Office enter into the political argument of the question, but he addressed arguments *ad verecundiam* to the Government of Prussia, calculated to weigh on the Regent's mind, and stay him from hostilities. He went on to say—

> "You are already sufficiently informed of Her Majesty's resolve, supported by the unanimous feelings of Her people to observe a strict neutrality. Her Majesty has kept this country free from all and every obligation that would interfere with her freedom of action. Her Majesty's Government entertains the hope that Prussia will adopt a course as nearly similar as the circumstances of Germany will permit."

He thought the noble Duke would now admit that this was advice given in as strong terms as one friendly Court could offer to another—that it was advice founded on arguments of different kinds, and that the despatch did bear the construction which he had suspected from the expressions of Sir Charles Wood. In his opinion the Government thereby made themselves responsible for the results, whatever they might be, which might have followed such advice if it were accepted. Peace had been happily concluded, and the time had therefore passed by when they might have become deeply responsible for the consequences of their counsel. But at the same time he thought it was requisite that their Lordships should be informed of two things—first, whether the despatch to which he had referred was authentic, and whether, being authentic, the Government had any objection to lay it on the table of the House; secondly, whether there would be any objection to state if an answer to that despatch had been received from the Prussian Government, and whether, in that event, the Government would object to state the purport of that answer to the House. Perhaps also the noble Duke would have no objection to explain his own view of the despatch, and the reply, if any, which might have been made to it. He could not help adding that he thought that Her Majesty's late Government had but done their duty in maintaining neutrality in this war; and he trusted that, though its objects might now be regarded in some sense as accomplished, Her Majesty's present advisers would not fail to maintain, with the utmost prudence, that neutral position which was still as requisite as ever. He alluded to the probability of a Congress being convoked to carry out the terms of the peace made between Austria and France. He could see no advantage to England, but, on the contrary, very great disadvantage, in entering into such a conference. He thought the subjects which would therein be discussed were not at all subjects sympathetic with the feeling of this nation and its immediate interests. They had the example of another Congress to warn them; for they were yet scarcely out of the difficulties in which they had become involved by entering with the best intentions possible, but he thought with very considerable imprudence, into the attempts to give a constitution to the Principalities. He sincerely trusted that they would not attempt a like course in Italy—that they would not attempt to meddle with the internal affairs of that country, or to give constitutions to the Duchies of Italy, to the Roman States, or to other portions of that country; for if they did they might depend on it they would be only heaping on their heads a mass of difficulties from which it would be an arduous task to extricate themselves hereafter. He made these few remarks, and hoped the Government would not object to answer the questions which he had put to them.

LORD WODEHOUSE said, the despatch

to which the noble Earl had referred was the same in substance with that sent to Berlin by his noble Friend at the head of the Foreign Office, though it had been somewhat altered by translation and re-translation. He had no objection to lay it on the table, and then their Lordships would be able to judge for themselves. He must say he had heard with great surprise the censure cast by his noble Friend on the despatch sent by Lord John Russell to Prussia, recommending a course of strict neutrality. There could be no difficulty in defending the course taken by his noble Friend the Foreign Secretary; but if they wanted a precedent for what had been done they had only to refer to the course which the noble Earl himself had "chalked out" for them when he was in office, for no one could have been more earnest than the noble Earl was in his advice to Prussia to observe a strict neutrality. He would read one or two passages from despatches written by the noble Earl, some of the words of which were almost identical with those employed by the present Foreign Secretary. The first he would refer to was a despatch by the noble Earl to Sir Alexander Mallet, our Minister at Frankfort, in which he said,—

> "Her Majesty's Government trust, however, that the answer which I immediately returned to you by telegraph may have arrived in time to prevent any such ill-advised step on the part of the Confederation, and that the protest which I have instructed you to make against its adoption, and the warning that I have desired you to give, that if Germany should at this early stage involve herself, without a treaty obligation, in the present war, she would have no assistance to expect from England, and that without such assistance her coasts would be exposed to the ravages of hostile fleets in the Baltic, will deter the Diet from adopting so precipitate a course, which would at once extend to Europe the ravages of war, which every friend of humanity must desire to see confined, if possible, to the country in which it has broken out."—p. 365.

There was no form of words in which advice to be neutral could have been more strongly given than the noble Earl had here used. He then went on to say,—

> "Her Majesty's Government know of no offence given directly by France to the States of the German Confederation as a body, and up to this time Austria has not been attacked even in her Italian dominions, and I have only to repeat that, under existing circumstances, Her Majesty's Government are resolved to maintain the severest neutrality."

Such was the language of the noble Earl's despatch to the Minister accredited to the Courts of Germany. But not satisfied with this the noble Earl also addressed a circular to all Her Majesty's representatives at the German Courts recommending neutrality—but that he would not read to their Lordships. In a despatch addressed to Lord Bloomfield the noble Earl said,—

> "As far as England is concerned, there are no immediate interests which necessitate any direct action on her part; and Her Majesty's Government feel it to be their duty to maintain a strict neutrality between the belligerents. This is also the feeling of the people of England; and it is obvious that any other course at present would tend to complications which can scarcely yet be foreseen. Her Majesty's Government, therefore, deprecate any act which would unnecessarily extend the theatre of war, and they will be prepared to take advantage of any favourable opportunity that may be afforded to them of being the medium of restoring peace."—p. 402.

But his noble Friend, not satisfied with this, took a further step—he communicated with the French Government, in order that there might be no mistake whatever as to the meaning of the despatches he had sent to Germany. In a despatch to Lord Cowley, dated May 2, he said,—

> "Upon hearing yesterday morning from Sir Alexander Malet of the intention of the Wurtemburg Minister to move to-day in the Diet that the Confederation should make common cause with Austria, I instructed Her Majesty's Minister strongly to protest against so impolitic a step, and to point out that if Germany involved herself in the war without a *casus fœderis* she must expect no assistance whatever from this country. Without such assistance her northern coasts would be exposed to maritime blockades and attack on the part of France, and probably on that of Russia also, and would be almost defenceless. But your Excellency, while mentioning this to Count Walewski, will observe that if the French Government really shares the desire of that of Her Majesty that the present war should, as far as possible, be localized, and not extended beyond the confines of Italy, it behoves France to discourage to the utmost all attempts to produce disturbance in Turkey."—p. 381.

Now, his noble Friend at the Foreign Office had merely repeated the advice of the noble Earl opposite, and for doing so was charged with a violation of neutrality. But was it to be said that because we determined to maintain neutrality during the war, therefore we were bound to stand with our arms folded and give no advice of any kind to any foreign Government. He understood neutrality to mean that we should not enter in any way into the war, but not that we were in no circumstances to express our opinions in the way of advice to another Government. Other Governments were independent of us, and were entitled to take or reject our advice as they pleased;

but giving advice in a friendly spirit could not in any way imply on the part of the Government of this country a breach of the neutrality which all so earnestly advocated.

Lord BROUGHAM expressed a hope that as, happily, we had nothing to do with the making of war or with the making of the most marvellous peace, so also, he hoped, advantage would be taken of our entire isolation, and that we should have nothing to do with what further might happen in Congress or otherwise.

The Earl of MALMESBURY wished to explain the difference that existed between the advice given by the late Government and that which had been given by the noble Lord now at the head of the Foreign Office. It appeared to him that there was a great difference between telling Prussia that if she entered on the war she would have no assistance from England and warning her accordingly, and going into political reasons, as Lord John Russell had done, to show why Prussia should not go into the war, and advising her not to do so. The late Government simply warned Prussia that she would not have the assistance of England; but the present Foreign Secretary advised Prussia, and he need not say that the advised sometimes came back upon the adviser.

The Duke of NEWCASTLE said, that as his noble Friend the Under Secretary for Foreign Affairs had given an answer to the questions of the noble Earl, it was almost unnecessary that he should add anything. He wished, however, to refer to what had taken place in the House on a former occasion, when the noble Earl who had just spoken quoted a passage from a speech which had been delivered by Sir Charles Wood at Halifax, and expressed his apprehension that that speech afforded an indication that the Government had exceeded the bounds of neutrality in giving advice to Prussia. At that time he (the Duke of Newcastle) told the noble Earl that he felt assured such would not be found to be the character of the despatch which had been written by his noble Friend at the head of the Foreign Department, and it appeared to him to be quite evident, now that the despatch in question had been made public, that its tenor differed in no respect from that of many passages which were to be found in the despatches which had been written by the noble Earl opposite himself. He was, perhaps, not exactly correct in saying that no difference existed in the tenor of those despatches, for he thought their Lordships must perceive that some of the passages—and one especially—which had that evening been quoted by his noble Friend near him from the blue-book were of a nature not merely suggestive, but even minatory. Now, open to that remark the despatch of Lord John Russell certainly was not, since it took the simple form of advice to Prussia not to take a part in the war which would render it impossible to restrict it within the bounds of Italy.

The Earl of MALMESBURY: The noble Lord has not said whether he will lay upon the table the answer to the despatch of Lord John Russell.

Lord WODEHOUSE: As the noble Earl has not given notice for any further papers, I am not prepared to say I will do more than I have already promised.

Earl GRANVILLE, alluding to that passage in a despatch of Lord Malmesbury which had been quoted by Lord Wodehouse, and which was to the effect that if Prussia entered into the war she must not only not hope for assistance from England, but must expect to have her coast in the Baltic liable to be ravaged by hostile fleets, observed that advice could, in his opinion, scarcely be couched in stronger terms. It would be quite a different thing if the noble Earl had simply said to Prussia, "You seem to be on the point of going to war. We give you no advice in the matter. Pray act in accordance with your own interests, but do not look forward to assistance from England." The noble Earl was not, however, contented with taking that course, but warned Prussia against the consequences of resorting to a precipitate and ill-advised policy. So far he could see no distinction between the tone which the noble Earl had adopted and that which his noble Friend the Secretary for Foreign Affairs had assumed.

STATUTE LAW COMMISSION.—CONSOLIDATION BILLS.

SEVERAL BILLS PRESENTED AND READ 1ª.

Lord CRANWORTH rose, according to notice, to call the attention of the House to the Fourth Report of the Commissioners for Consolidating the Statute Law, and to inquire of the Lord Chancellor what are the intentions of the Government as to that Commission. He also proposed to lay upon the table certain Bills emanating from the Commission, and to ask their

Lordships to read them a first time. The noble and learned Lord proceeded to say that since the time of Lord Bacon the consolidation of the statute law had engaged the attention of many learned persons, and the subject had, particularly of late years, been repeatedly brought before the attention of the Legislature. In 1816 a Committee of their Lordships' House recommended that persons should be appointed to revise and consolidate the whole body of the statute law, and a Commission was named in the year 1833, to consider the subject of the criminal law; and also to report as to the expediency of consolidating the whole statute law; but nothing further was done. In 1854, when he had the honour of holding the Great Seal, his attention was directed to the subject, and a Commission was issued for the consolidation of the statute law. One of the first steps was to consider the mode in which that could best be effected. It appeared to him and to others that the best way would be to get a number of statutes consolidated and then see what the result was. That was done. They soon, however, found that it would be necessary to deal with a more reduced body than the whole bulk of the statutes. The statute law was contained in no less than 41½ quarto volumes, of which 18 contained the statutes which were passed previous to the Union with Ireland, and 23½ contained the statutes passed since that date. It was impossible for any persons, who were not professional lawyers, to attempt to deal with such a mass of statute law. The Commissioners had first to consider what portion of these statutes it would be useful to consolidate — because there were statutes, or parts of statutes, which it would have been waste of time to attempt to consolidate. They thought it best to commence with the statutes relating to what he might term the permanent rules of civil conduct, and to commence on a lower foundation than they at first contemplated. It was felt to be necessary to draw up a register of all the statutes up to the beginning of the last century—that every statute should be examined, and a reference made in the register to the previous Acts to which it related. The work proved to be a more laborious one than was anticipated; but a register had been formed on that principle of all the statutes since the Union with Ireland up to the present time. That work had been printed and laid on their Lordships' table, and he ventured to think that their Lordships, as well those connected as those not connected with the law, would find it of considerable use. It sometimes happened that curious mistakes arose from want of knowing what statutes had in process of time been repealed. In 1842 a case came before the Queen's Bench as to the jurisdiction of the Crown, in which the question argued was whether a statute of Edward VI. did or did not apply to the case. The Court of Queen's Bench decided that it did not—and fortunately, for the register would have shown that that statute of Edward VI. had been repealed in the reign of George IV. So that the whole argument had been thrown away. It was not only in courts of justice that the utility of a register would be found; for in the Act abolishing the property qualification of Members of Parliament, passed last year, three statutes were repealed which had already been repealed by prior enactment. Then, as to classification, the utility of it was seen by a register. The first class related to Acts concerning the armed force of the kingdom—the Militia Acts, Mutiny Acts, and others of that character. Next, there were two classes which related to the revenue and finances, and then six classes for the permanent rules of civil conduct. In the first class were statutes relating to the United Kingdom; in the next, statutes which related to Ireland also; and then statutes which referred to England, Scotland, and Ireland respectively. They had then to see how many statutes passed since the Union came under these classes—because for practical purposes of consolidation this would be pretty much all that was necessary. Since the Union to 1858 there had been passed 6,887 statutes, and of these 1,836 were included in the class of permanent rules of civil conduct. The whole of these statutes were contained in 24 quarto volumes, and those relating to the rules of civil conduct formed about a fourth part. A large portion of them had also been repealed in whole or in part, so that but a small proportion was left to be consolidated. Having obtained this registry, their Secretary had been directed to classify these 1,836 statutes under the heads under which they ought to be consolidated; and accordingly they had been classified under 173 heads having reference to enactments relating to the same subjects. Of course this did not mean that they were to be consolidated into 173 statutes, because these heads often included enactments relating to the same subjects, but to different parts of the United Kingdom. For instance, there were 30 or 40 statutes respecting highways, but those related to England, to Ireland, and Scotland, and, from beginning to end, were essentially different. On the other hand, it might be possible on further examination to reduce somewhat the number of heads; and, upon the whole, the Commissioners came to the conclusion that the statute law regulating the conduct of Her Majesty's subjects in the United Kingdom might be comprised in 300 or 400 statutes, occupying, probably, from three to four volumes. He proposed to ask their Lordships to give a first reading to five Bills which had been prepared as samples of the mode in which the work of consolidation should be carried on. The subjects of those Bills had been taken at hazard and included the laws relating to aliens, to bills of exchange, to executors, to marriage, and to the registration of births, deaths, and marriages. They had carefully abstained from attempting to alter the law, except in cases where there were obvious clerical errors, and had cautiously avoided adopting any changes that might give rise to serious discussions in Parliament. Thus, in dealing with the Acts relating to marriage, they had left untouched the statute of Henry VIII. referring to marriages within the prohibited degrees. From what had been done they could form some idea of what would be the extent and bulk of the work when completed. He found that, excluding the Bill relating to marriage, which included an extraordinary number of statutes, the computation would be that the whole 1,836 statutes could be included in 274. With respect to bulk, the five Bills which he asked their Lordships to read a first time only occupied one-half the space of the statutes which they displaced. The next question to consider was whether any efficient mode could be recommended by which the work might be completed. The Commissioners had come to the conclusion that now that they had provided a foundation, and shown exactly what remained to be done, and how it could be done, they might recommend that, instead of the Commission going on without any avowed head, the whole should be put under the superintendence of some barrister of eminence, who should not practice at the bar while the work was in hand, and who might employ draughtsmen under him, and by their aid complete the work the Commissioners had begun. The question then arose, how soon this work could be accomplished? He saw no reason why the whole work should not be done in two years, even supposing there remained in round numbers 300 Bills to be consolidated. Having brought the subject before their Lordships, and shown how, in his opinion, this important work could be completed without difficulty and without delay, he should ask them to read one of his Bills a first time, and would only add a hope that his noble and learned Friend upon the woolsack would give his sanction to the course recommended by the Commissioners. The noble and learned Lord concluded by severally *presenting* the following Bills.

A Bill to Consolidate the Statute Law of England relating to Marriages (Marriages Bill).

A Bill to Consolidate the Laws relating to the Registration of Births, Deaths, and Marriages in England (Registration Acts Consolidation Bill).

A Bill to Consolidate the Statute Law of England relating to Bills of Exchange and Promissory Notes (Bills of Exchange and Promissory Notes Bill).

A Bill to Consolidate the Statute Law of England relating to Executors and Administrators, and the Distribution of the Personal Property of deceased Persons (Executors and Administrators, &c., Bill).

A Bill to Consolidate the Statute Law relating to Aliens (Aliens Bill).

THE LORD CHANCELLOR said he would bear willing testimony to the zeal and ability with which his noble and learned Friend had devoted himself to the business of the Statute Law Commission. There could be no doubt that the consolidation of the statutes—an object they all had earnestly at heart—would be very much advanced by what the Commission had done. But, at the same time, he must say he did not think that that object would be facilitated by continuing the labours of the Commission. He believed his noble and learned Friend would make much more progress without a Commission than with the nominal assistance of all the noble and learned associates joined with him in the first instance. At first there were about thirty members named on the Commission, and they were all very eminent men, but their attendance was nominal, and they had no responsibility. This plan of consolidation could only be successfully carried out by Parliament placing implicit confidence in those who prepared the Bills. A better plan might certainly be adopted than by continuing the Commission. The register to which his noble and learned Friend alluded was most valuable, but it did not go beyond the union of England and Scotland, and he thought it was impossible to say that all the Acts were embraced, unless the register went back to Magna Charta. He believed that it would be far better to have a staff of lawyers, who should devote their attention to this business of consolidation, and who should be responsible for their labours, under the supervision of the Government for the time being. Moreover, by the establishment of a staff of professional men, an object which he had desired to see for many years would be accomplished, namely, a body of experienced men to whom Bills could be referred before they were introduced into the Houses of Parliament respectively. The legislation of this country would thus shortly be relieved from the disgraceful stigma to which it was too often subjected by the passing of hasty and ill-considered measures, which were introduced by Members without adequate reflection or consultation, and which in many cases it had been found necessary altogether to repeal. The matter was not mended by going into Committee, for really valuable clauses were often struck out and alterations made which were by no means improvements. The House would doubtless be glad to hear the other measures which the Government had it in contemplation to introduce. The first of these was a Bill with regard to proceedings in bankruptcy, which was a subject to which much attention had lately been directed; the Government would feel it their duty to propose a measure on this subject at the commencement of the next Session. Another object which they proposed to effect was an improvement in the law with regard to the transfer of real property. He was not one of those who believed that landed estates could ever be transferred as easily as Three per Cent Consols, but he felt convinced that the transfer of landed property was capable of great amendment, and might be rendered much more economical, much more simple, and much more satisfactory. A Bill on this subject was now in course of preparation by his learned Friend Sir Richard Bethell, who would introduce it in the other House at the beginning of another Session. Another improvement which the Government hoped to accomplish was in the mode of taking evidence in courts of equity, which at present was admitted to be most defective, and to inquire into which his noble and learned Friend (Lord Lyndhurst) had moved for a Commission. That Commission would be immediately issued, and he trusted his noble and learned Friend would be able to serve upon it, in which case there could be no question that great and important improvements would be effected in that branch of our jurisprudence. His hon. and learned Friend who had immediately preceded him in the office of Lord Chancellor was deserving of the utmost credit for the attention which he had bestowed on another subject, and whoever might be entrusted with the carrying out of this great object, it should be remembered with gratitude by whom it had been originated. He referred to the attempt which had been made to consolidate and to simplify the orders of the Lord Chancellor, which were now in such a state of confusion, that in comparison even the Statute Book was simplicity itself. The subject was now engaging the attention and undergoing the research of able and learned Gentlemen, and he hoped that by Michaelmas term their labours would be sufficiently advanced to admit of a Bill on the subject being proposed. The last and certainly one of the most important measures to which he had to refer was one which would be introduced with the object of assimilating the practice in courts of law and equity; so that suitors might no longer be subjected to the great expense and uncertainty of commencing suits in both Courts with the same purpose, and be subjected to the anomaly of succeeding in one and being defeated in the other. One trial, it was expected, would by this means set the question at rest, and thus a fertile source of expense and dissatisfaction would be done away with.

Lord BROUGHAM hoped from the agreement that had been come to on both sides of the House on this subject that something practical would at last be attained. The state of things was this—that they must either forego consolidation altogether, or leave it implicitly in the hands of a few learned and able men in whom they had confidence. He did not mean to say their labours should not undergo discussion in Parliament, but to such men must be committed the great work of consolidation if they meant to achieve success. His noble and learned friend (Lord Lyndhurst) was very unwillingly absent from that discussion on account of indisposition. He was anxious to be present in order to do an act of justice to some of those learned gentlemen who had been employed either as Commissioners or in the service of the Commission. It was especially his duty, as Lord Lyndhurst also felt it, and authorized him to express, to bear testimony to the great ability and disinterestedness by which the labours of Mr. Bellenden Ker as a member of the Statute-Law Commission had been characterized. There were other able and learned men to be commended. Among these the three gentlemen mentioned in the Report, and Mr. Coulson, whose learning and abilities are well known to their Lordships. But Mr. Bellenden Ker had been attacked by ignorant or unreflecting persons, and it was therefore, both Lord Lyndhurst and himself felt it incumbent on them to bear testimony in his behalf. He (Lord Brougham) could in proof of his disinterestedness refer to matters within his knowledge while a Minister of the Crown. Mr. Ker was employed daily above a year as Commissioner and otherwise in the Reform Bill of 1831-2, to the serious injury of his profession as an eminent conveyancer. While others in the like circumstances claimed compensation and obtained professional preferment in consequence, Mr. Ker, whose business very greatly exceeded theirs, and who had suffered in proportion far more than they had, never urged any claim whatever, but gallantly returned to his profession, and from his great skill and learning his practice became greater than ever. He (Lord Brougham) considered that Mr. Ker had been illused by promotion having been withheld from him. But he never heard even a murmur of complaint from himself, and he now made this statement wholly without having even told Mr. Ker of his intention to render him justice, or having ever had any communication with him on the subject.

LORD ST. LEONARDS was understood to say, that consolidation and not codification was what was required, and the most useful description of consolidation was that which dealt with one particular class of offence or branch of law, for it would be both unwise and useless to attempt at once a consolidation of the laws of England; that one of the great difficulties by which the consolidation of the statute law was beset was that of finding a person on whose ability and general competency to examine the several statutes with a view to their classification reliance could be placed. The labour was one which the multifarious duties of his noble and learned Friend on the woolsack, as well as of the Attorney and Solicitor General, rendered it impossible that they could satisfactorily discharge. The necessity for consolidation and subsequent alteration would be much obviated if the Bills were originally more carefully drawn.

LORD WENSLEYDALE agreed that the Commission, though it had done a great deal, was not the proper mode of accomplishing the work which remained to be performed. That task should not be delegated to a number of individuals whose other duties prevented them from paying it their undivided attention, but should be entrusted to one salaried officer whose whole time should be devoted to the work, and who should direct the labours of a competent staff of skilful draughtsmen.

LORD CHELMSFORD wished to know whether his noble and learned Friend intended the Bills he had mentioned as simple specimens of the mode in which the Commissioners proposed to carry out the work of consolidation, or whether he intended to pass them through Parliament with the shape of Acts.

LORD CRANWORTH said, he intended the Bills as specimens, and did not expect at present to pass them through Parliament. He was satisfied with the statement of his noble and learned Friend upon the woolsack. The Commissioners had recommended an undivided responsibility, and that he thought was best, but if his noble and learned Friend preferred a staff of two or three persons there could be no objection.

The said Bills severally read 1ª.

House adjourned at half-past Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 18, 1859.

MINUTES.] PUBLIC BILLS.—1° Ecclesiastical Commission; Universities Incorporation Act Amendment; Fireworks Act Amendment.

2° Cambridge University Commission (Continuance).

3° Chichester Harbour Embankment.

CHICHESTER HARBOUR EMBANKMENT BILL.

THIRD READING.

Queen's *Consent* signified.

Order for Third Reading read.

Motion made and Question proposed,

"That the Bill be now read the third time."

Lord CLARENCE PAGET said, he felt obliged to oppose the third reading of this Bill. The history of the Bill was shortly this: In the year 1851 some gentlemen proposed to embank a portion of Chichester Harbour and a neighbouring creek, called Bonham Creek. The promoters at that time obtained the sanction of the then Board of Admiralty. No Bill was asked for, but an arrangement was come to that with certain guarantees they should be allowed to carry out this measure, the object of which was to enclose some 1,800 acres of land from the sea. That company fell to the ground, and nothing more was heard of the matter until the present company sprang up, and brought this Bill before Parliament. As the House was aware, the Admiralty had jurisdiction in all matters relating to navigable rivers, and the late Board having given full consideration to this subject, came to the conclusion that, notwithstanding their predecessors had consented to the measure, that sanction ought not to be carried out. Chichester Harbour was in the immediate vicinity of Portsmouth, and it might yet be turned to good account both for the naval and the mercantile service. The promoters, instead of withdrawing the Bill, brought it before a Select Committee of the House, who, instead of supporting the decision of the Board of Admiralty, reported in favour of the Bill. The present Board however felt it their duty to support the decision of their predecessors. The piece of land lay within range of the fortifications of Portsmouth, and the promoters proposed to make a patch of dry land, on which a position might be formed and batteries erected, very prejudicial to the fortifications of Portsmouth. He also held in his hand a petition from the Mayor of Chichester, expressing the alarm of the inhabitants at the proposal to fill up one of the tributaries of Chichester Harbour, and stating that if the embankment were made it would fill up one of the creeks that performed the office of scouring the harbour. Under these circumstances, he felt it incumbent on him to propose that the Bill be read again that day three months.

Amendment proposed to leave out the word "now," and at the end of the question to add the words "upon this day three months."

Mr. BUCHANAN said, that he should support the decision of the Committee, of which he was the only Member in the House. That Committee had been presided over by the late Chief Commissioner of the Board of Works, the present Lord Llanover; and they came to the conclusion that a former Board of Admiralty having solemnly sanctioned this contract, it ought to be carried out in its integrity, notwithstanding that a subsequent board might not see fit to continue it. In short they were of opinion that the Admiralty had put themselves out of court by the covenants they had made under the agreement of 1851. There would be no confidence in public departments if it were open to one board to frame new conditions and to stop works of great public advantage which had been agreed to by their predecessors. The Admiralty had an opportunity of urging any military objections to the Bill, but as Portsmouth was eight miles distant the Committee did not think these considerations deserving of much attention. They were also satisfied that the embankment would be a great public advantage, and under all the circumstances he trusted the House would support the decision come to by their Committee, and agree to the third reading.

Mr. H. BERKELEY said, he thought the opposition of the present Board of Admiralty a gross interference with the principles of justice and good faith. The consent of the Crown had been already given to the project; and three surveyors sent down by the Board of Admiralty had reported favourably of it. The only reason for presenting this Bill to Parliament was to get rid of certain manorial rights and usages which stood in the way of these works. He trusted, therefore, the House would not be persuaded by the noble Lord to commit so great an injustice as to reject the Bill.

Mr. KER SEYMER considered it was the duty of the noble Lord to come forward on the present occasion, as the question involved was not merely a question of Chichester Harbour, but also one affecting the defences of Portsmouth. A great deal more was known then about the effects of long range artillery than in 1854, and he should therefore support the Amendment.

Mr. E. P. BOUVERIE said, that the Admiralty had appeared before the Committee and had a full opportunity of making objections to the Bill. He believed that the military question referred to by the noble Lord had never been brought before the Committee by the Admiralty. He had seen something of the action of these public boards, and was very distrustful of their interference. They frequently came to one-sided opinions, which, when sifted before a Committee, proved to be worthless. He recommended the House to support the decision of its Committee.

Mr. WHITBREAD said, the usual practice of the House was not followed in regard to the present Bill. It was customary for the promoters of such Bills to call on the Board of Admiralty to make their objections to the contemplated measures, if they had any.

Question "That the word 'now' stand part of the Question," put and *agreed to.*

Main Question put and *agreed to.*

Bill read 3° and *passed.*

BRITISH AND CANADIAN TELEGRAPH COMPANY BILL.—CONSIDERATION.

Order for Consideration read.

Viscount DUNCAN said, in this Bill, as it originally stood, Clause 30 enabled the Treasury to give a guarantee and make an agreement with the Company for the use of the telegraph for Her Majesty's service. He thought guarantee clauses were most objectionable, and he had therefore given notice of his intention to move that this clause be left out. Since he had done so he found the promoters had struck out the clause, but in order to give hon. Members an opportunity of considering it in its present form he would move the clause be printed and placed in the hands of hon. Members, and that, in the meantime, the Bill be postponed.

Mr. LAING observed that the clause referred to by the noble Lord was inserted in the Bill by the promoters, entirely without the sanction of the Government; and the Government intimated that they would oppose the Bill, unless the clause in question was struck out. The clause had, consequently, been struck out.

Mr. ELLICE (Coventry) said, he thought it was the duty of the Secretary to the Treasury to see that no such clause was inserted in a private Bill. He understood it was stated by the promoters of the Bill and by the Committee that the clause was inserted by the direction of the Treasury, but whether that was the case or not, the question for the House to consider was, whether these Bills were to be passed on the understanding that they were private Bills, with clauses not only enabling the Treasury to grant guarantees, but enabling them also to do so without the sanction of that House. This was matter for serious consideration.

Sir HENRY WILLOUGHBY said, he should support the Motion of the noble Lord. It was extraordinary that such a clause could get into a private Bill without the knowledge of the Government.

Colonel FRENCH said, that he saw no reason for the indignation expressed by hon. Members. The power given by the Bill was no new power. In a great number of railway Bills authority was given to the Post Office to make arrangements for the conveyance of mails; and that authority appeared to rest on a similar principle as the power originally given by the present Bill.

Consideration, as amended, *deferred* till *To-morrow.*

THE STADE TOLLS.

QUESTION.

Sir MORTON PETO said, he would beg to ask the Secretary of State for Foreign Affairs the state of the negotiations for the abolition of the Stade Tolls; and also if the notice of the termination of the Treaty of 1844, given by the Government of this country to the Government of Hanover, has been withdrawn?

Lord JOHN RUSSELL replied that the question of the Stade Dues had been referred to the Law Officers of the Crown, but as it was deemed desirable that the existing Treaty should be renewed for a limited time, it was proposed that it should be renewed for a period of six months. In the meanwhile, however, the Law Officers of the Crown would continue to give careful attention to the subject, but of course the notice which had been given of the termination of the Treaty fell to the ground with its renewal.

THE WESTERN YACHT CLUB OF IRELAND.—QUESTION.

Mr. COGAN said, he rose to ask the Secretary to the Admiralty when Returns of Papers and Correspondence between the Admiralty and the Royal Western Yacht Club of Ireland, ordered by the House on the 7th and 18th of April, will be laid on the Table; and whether there would be any objection to add to the Return any Correspondence on the subject with the Admiralty since those dates?

Lord CLARENCE PAGET said, the Correspondence in question would be laid upon the table in the course of a day or two.

GRAND JURY ACTS (IRELAND).
QUESTION.

Mr. LANIGAN said, he would beg to ask the Attorney General if it is the intention of Her Majesty's Government to bring in any Bill to amend the Irish Grand Jury Acts, with a view to relieve the occupiers of houses and lands in Ireland (to a certain extent) from the pressure of taxation, by apportioning the payment of Grand Jury or County Cess equally between landlords and tenants in Ireland?

Mr. CARDWELL said, it was not the intention of the Government to bring in any Bill to amend the Irish Grand Jury Acts, with a view to apportioning the payment of Grand Jury or County Cess equally between landlords and tenants in Ireland.

CONTROVERTED ELECTIONS.
QUESTION.

Mr. PEACOCK said, he wished to ask the Chairman of the General Committee of Elections what is the latest period at which they will nominate Committees to decide Controverted Elections?

Sir FRANCIS BARING said, he regretted that he could not give a very direct answer to the question of the hon. Gentleman. The proceedings of the Committee must depend upon the proceedings of the House, but the Committee would meet on Thursday, and he hoped that if the question was repeated on that day he would be able to state what was their final decision.

THE KINSALE RIOTS.—QUESTION.

Mr. VINCENT SCULLY said, he would beg to ask the Secretary for Ireland whether any official information respecting the conduct of the Antrim Artillery at Kinsale, on the 12th of July last, has been received by the Government?

Mr. CARDWELL, in reply, said, that two inquiries had been instituted—one by the Military and the other by the Civil authorities—into the conduct of the Antrim Artillery at Kinsale on the 12th of July; but those investigations had not yet been brought to a conclusion.

Mr. COGAN said, he would also beg to ask the Secretary of State for War whether any report has reached him of the conduct of the Antrim Regiment of Artillery at Kinsale, on the 12th of July; and, if so, whether he has taken any, and what steps with regard to that regiment?

Mr. SIDNEY HERBERT said, he knew no more of the causes of the riot than his right hon. Friend (Mr. Cardwell). But he could state that the Magistrates of Kinsale despatched a messenger to General Eden at six o'clock in the evening of the ocurrence. Troops were marched from Cork to Kinsale at midnight and at two the following morning, and the General himself was at Kinsale at five in the morning, when the Antrim Militia were marched out of the town.

DESIGNS FOR THE NEW FOREIGN OFFICE.—QUESTION.

Lord JOHN MANNERS said, he wished to know whether the designs for the new Foreign Office promised by Mr. G. G. Scott were not yet ready for exhibition?

Mr. FITZROY said, that when questioned the other day with respect to exhibiting the plans for this structure, according to the intention announced by the noble Lord, his official predecessor, he had stated that the working drawings would not be ready for some time, and, therefore, that he would not be able to exhibit them in the manner proposed. He had, indeed, given orders that, as far as they were in his possession, they should that morning be shown in the Reading Room of that House; but the designs now exhibited were only those which the House of Commons had had an opportunity of viewing on a former occasion. The designs of Mr. Scott for the new Foreign Office, prepared in accordance with the directions of the First Commissioner of Works, and which were considerably different from the designs in the Reading Room, would, he hoped, be ready for inspection by the members of that House on Wednesday morning, and he had given directions that they should be placed in the tea-room. He had received a letter from Mr. Scott on the subject, in consequence on which he had fixed upon Wednesday.

THE DOVOR ELECTION—PETITION.

Mr. E. P. BOUVERIE said, he had a Petition from Sir William Russell, one of the candidates at the last Dovor election, complaining of an undue return for that

Borough. The Petitioner said, that he had learnt that a "Select Committee had been appointed by that House to inquire into the Mail and Telegraph Contracts, and that it was likely to investigate the Contract for the Dovor and Ostend Mails; that he had been advised by his counsel that it would be very prejudicial to his case, if this part of the Contract inquiry were to take place until the Dovor Election Committee had sat. The Petitioner, therefore, prayed the House to direct the Select Committee on Contracts, not to proceed with its investigation, as far as the Dovor Contract was concerned, until the Election Committee had closed its labours. He, therefore, gave notice, that to-morrow he should move, that the Petition be printed with the Votes.

MR. ROEBUCK said, he understood that a Committee of the House was appointed to pronounce, whether Petitions should be printed or not; and until that Committee had come to a determination, no Motion could be made for printing a Petition, unless the right hon. Member stated that he meant to found a Resolution upon it.

MR. E. P. BOUVERIE had not made a Motion, he had only given notice of one for to-morrow.

THE ORDNANCE SURVEY OF IRELAND.

QUESTION.

In reply to a question by Mr. VINCENT SCULLY,

MR. CARDWELL said, that the subject had been brought under his notice, but it was not his intention to bring in a Bill on the subject during the present Session.

WAYS AND MEANS.—THE BUDGET.

COMMITTEE. FINANCIAL SAATEMENT.

Order for Committee read.

House in Committee of Ways and Means.

MR. MASSEY in the Chair.

THE CHANCELLOR OF THE EXCHEQUER: I presume, Sir, that it will be for the convenience of the Committee that I should follow the usual practice of making known to it, before I proceed to discuss any plans or proposals of the Government, the results of the finance of the last year. This need not occupy any great length of time. I will state to the Committite the Estimates of income as they were proposed by the right hon. Gentleman the Member for Buckinghamshire, when he held the office of Chancellor of the Exchequer, during the year 1858; the actual receipt of revenue which took place when those Estimates came to be tested by the result, and likewise the experience of the year as it stands. The right hon. Gentleman estimated the Customs' revenue at £23,400,000. It produced £24,117,000. He estimated the Excise at £18,600,000. It produced only £17,902,000. He took the stamps at £7,850,000. They produced £8,005,000. The Land and Assessed Taxes were estimated at £3,200,000; they produced £3,162,000. The income tax, which the right hon. Gentleman estimated at £6,100,000, exceeded that sum by more than half a million, and produced £6,683,587. The Post-office revenue corresponded almost precisely with the estimate of the right hon. Gentleman, which was £3,200,000. The Crown Lands, which he took at £270,000, produced £280,041, and the Miscellaneous revenues, which he calculated would produce £1,300,000, have amounted to £2,125,944. The Miscellaneous revenues, it will be in the recollection of the Committee, are very difficult to estimate with precision, particularly at a period shortly after the close of a great war, when extensive changes are in progress in the manufacturing establishments of the country, which lead to the disposal of old stores and the substitution of new ones upon a scale that is sometimates impossible to calculate beforehand. The general result on the total of the revenue of the year was, I think, satisfactory. The right hon. Gentleman estimated the entire revenue at £63,920,000; its precise amount was £65,477,284. With respect to expenditure, I do not know that I need trouble the Committee by referring to the original Estimates of the right hon. Gentleman, because they were subjected to certain modifications in the course of the Session, as Supplementary Estimates, adding to the charges for the year, were brought forward. But I shall state to the Committee the expenditure as it actually took place. The charge of the debt took £28,527,484; the Consolidated Fund charge was £1,940,655; the charge for the Army was £12,512,291; the charge of the Navy, £9,215,487; the Civil Services amounted to £7,169,473; the collection of the revenue, or the expenditure on account of the revenue department, was £4,515,969. There were, besides, two Votes retrospective in their character, one of them for operations in China,

£391,943; and the other, some remaining expenses of the Russian war, £390,580. The total result was to give an expenditure of £64,663,882, against a revenue of £65,477,284; so that there was in round numbers a surplus of about £800,000 upon the balance between the income and expenditure for the year. The Committee will probably wish to know what has been the fate, so far as it can be ascertained, of the special proposals that were made by the right hon. Gentleman during the last year for the purpose of increasing the revenue of the country. At the same time it is right they should bear in mind that our experience has been too short to enable us to pronounce conclusively upon the degree of success that has attended those proposals. But as far as we are aware the facts are as follow:—1*d.* stamp upon drafts or cheques was estimated by the right hon. Gentleman to produce £300,000, and the augmentation of duty upon Irish spirits, which was proposed by the right hon. Gentleman in such a manner as to produce a complete equalization between the spirit duties of the three kingdoms, was estimated to yield £500,000. Neither of these duties has, however, as yet produced the sum which was expected from them. We have no means of knowing precisely what has been the product of the stamp duty upon drafts or cheques, because it is kept in a single account with the stamp duty upon receipts, and the only measure that can be applied to that portion of this revenue which is due to the stamp duty upon cheques is by comparing it with the whole increase that has taken place in the aggregate produce of the two duties. The duty upon receipts had been a constantly increasing duty up to the year 1858, and therefore if in 1859 we credit the penny duty upon drafts and cheques with the whole increase that has taken place since 1858, that is, upon the whole, perhaps, the fairest mode of reckoning that can be adopted. The aggregate duty upon receipt stamps and draft stamps in the year which ended on the 31st of March last was £418,000. The duty from receipt stamps alone, with the addition of the draft stamps which were formerly required in all cases where drafts passed beyond a distance of fifteen miles, in the year 1857-8 yielded £281,000; so that the probable produce of the duty upon cheques was no more than £137,000. But, then, it is to be borne in mind, in the first place, that the duty was in operation for little more than a period of ten months instead of twelve; and, in the second place, that many persons were already provided with stamped cheques for the purpose of transmission over the country, a circumstance that would naturally retard the influx of revenue from the new duty until new stocks of cheques required to be provided. It is very hard to say what that duty is likely to produce, but, upon the whole, I think it would be sanguine, with the information which we now possess, imperfect thought it be, to repeat an estimate so high as £300,000. I should think that £200,000, or something lower, is in all likelihood the sum which the duty upon drafts or cheques will be found to add to the year's revenue. I may state here that a question has been raised whether it would not be convenient to abolish a partial exemption which is found to exist under the present law. I do not know whether it was part of the original intention of the right hon. Gentleman, but under the law as it stands it has been found that the drawer of a cheque is entitled himself to receive across the counter the proceeds of the cheque without payment of the stamp duty. The general opinion, I think, seems to be that that exemption is not strongly founded either in reason or in convenience; and I also believe that the opinion of the bankers of London, considering it with reference to the facility of operations, is that their trade would be decidedly in favour of its removal. It is not an important financial operation, but probably as a matter of fiscal improvement I may think it my duty to make a proposal to the House for removing that exemption. With respect to the question of Irish spirits, it is one of greater interest, and at the same time the change, as far as the amount produced is concerned, has been attended with a less degree of success; but it ought always to be recollected, in the first place, that all duties of that description require some considerable interval before their operation can be correctly appreciated, and, in the second place, that the measure of equalization proposed by the right hon. Gentleman was in itself a fiscal reform of very considerable importance, as establishing one duty between Ireland, Scotland, and England, independently of its pecuniary results. However, the pecuniary result stands thus:—Upon Irish spirits in 1858-9, as compared with 1857-8, we had an increase in actual money of only £85,000, which is but a very small proportion of what had been expected to proceed from that source. But, then, the duty did not take effect from the first day of the financial year. It took effect on the 17th of April, and between the 1st of April, when the year began, and the 17th, there were delivered from bond in Ireland, though the period was only about a fortnight, no fewer than 1,129,000 gallons of spirits, or the consumption of two months. If we take the additional duty upon that quantity of spirits, which is fairly due to the accounts of the year, inasmuch as the period between the 1st and 17th of April formed part of the financial year, it would add £103,000 to the £85,000 which I have mentioned, giving a total of £188,000 as the produce of the new scale of duty for the year. As far as we can judge from the produce in the period which has elapsed since the 1st of April last, there is a prospect of the duty being considerably more productive; but at the same time it is hardly possible to judge of the result of changes of this kind upon articles of consumption. Where many interests mix with and traverse to a certain extent the proceedings of Parliament, and where likewise the effect of your operations depend, in some measure, upon seasons and the prices of the raw material, it is not possible to form a conclusive judgment upon the pecuniary results of any change in the law until a year or two have elapsed. Such, then, is the state of the case with regard to the revenue and expenditure of the year which closed on the 31st of March last, and with respect to the measures proposed in the Session of 1858 for the purpose of providing a surplus of revenue over expenditure. I come now, Sir, to a more grave and serious part of the task which is imposed upon me. I have to lay before the Committee, in the first instance, a comparative statement of the estimated revenue and expenditure for the year which is now current. The Committee is already generally aware, from the Estimates that have been laid before it, in the first place, that the expenditure will be unusually large, and, in the second place, that it will very considerably exceed the Ways and Means which the ordinary revenue of the country could provide, and that, consequently, increased efforts must be made to meet it. To begin with the estimates of revenue, the Customs are taken to yield for the year which commenced on the 1st of April last, and which will close on the 31st of March next, a sum of £23,850,000; the Excise, £18,530,000; the Land and Assessed Taxes, £3,200,000; Stamps, £8,100,000; Income Tax, at *5d.*, £5,600,000; Post Office, £3,250,000; Crown Lands, £280,000; and Miscellaneous Receipts, £1,530,000. It may be as well to state that in the last mentioned item there is included a sum with respect to which no definite arrangements have been made—a sum of £130,000, which is more or less probable that the Council of India will pay out of Indian revenue, in order to obtain a site on which they may erect buildings for the transaction of their business in lieu of the premises in Leadenhall Street. Although to some extent, uncertain, this item has no disturbing effect upon the general balance of revenue and expenditure which I shall present, because, if the Council of India does not reimburse the Treasury to that extent for the ground which it would require, the Treasury will not incur the outlay for it. The total of the items which I have given to the Committee is £64,340,000; and it may, perhaps, be interesting to the Committee to compare this total with the estimate of last year, in which the right hon. Gentleman the Member for Bucks proceeded upon the same basis of taxes, with the exception of those which he himself proposed. He estimated the revenue of the year at £63,920,000. The estimate which I now present would give us about £420,000 more than that of the right hon. Gentleman; but I am not able to say that there is in fact any evidence of sterling or extraordinary progress, because that £420,000 is about the sum which at present appears to have been produced by the two small taxes which were imposed by the right hon. Gentleman. We come now, Sir, to the estimate of the expenditure for the current year, the revenue being, as I have said, £64,340,000. The charge of the funded and unfunded debt for the current year will be £28,600,000. In that sum there is included a particular item of £400,000, which represents the last payment upon a certain portion of the Long Annuities, which will have to be made on the 5th of January next. I mention this item now because it is entirely exceptional in its character. The Committee is aware that as a general rule all dividends, whether upon stock or annuities, are paid half-yearly. In this particular case, however, it happens that a certain considerable portion of the annuities for which the public is liable, and which have their dividends payable half-yearly in April and October, expires not at the end of the half-year, but at the end of the odd quarter, so that a quarter's payment becomes due in respect of that portion on the 5th of January next; whereas, if the annuities had continued to run, it would not have been made until the expiration of the half-year—namely, the 5th of April next. The effect of this is to throw upon the Ways and Means of the year 1859-60 a sum of, in round numbers, £400,000, which in the regular course of things would have passed to the debit of 1860-61. The first result, therefore, of the cessation of these annuities is to impose a burden upon the financial year which is now passing. However, the estimated charge for the funded and the unfunded debt is £28,600,000; that for the Consolidated Fund, £1,960,000; the Army, including the Militia, £13,300,000; the Navy, including the Packet Service, £12,782,000; the Civil Service, on what are called the Miscellaneous Estimates, £7,825,000; the Revenue Departments, £474,000. The Committee will observe that there is a very considerable increase in the aggregate charge of the Miscellaneous Estimates as compared with those of last year, the estimate for the present year being, as I have stated, £7,825,000, and that for last year not having exceeded £7,169,000. I may, perhaps, without attempting to enter into detail, state briefly to the Committee what are the principal items of this increase. The Committee will recollect that a measure passed this House about two years ago which imposed upon the public a very heavy charge in respect of the County Courts. From that source we have an increase in the Civil Service Estimates of £49,000; the constabulary in Ireland shows an increase of £36,000; the Vote for Public Education, including Art, an increase of about £200,000; the Vote for British Columbia, £42,000; that for China, Japan, and Siam, which is a new acquaintance, and has not appeared upon the Estimates before, £25,000; the Vote for the Foreign-office, site and buildings, £200,000, including however, the £130,000 which I have just spoken of as repayable from the Indian revenues, if the arrangements go forward. Last comes the submarine cable to Gibraltar £115,000; and perhaps this is the place at which I ought briefly to refer to that subject. The late Government had entertained a plan for both manufacturing and laying down this cable from England to Gibraltar during the present season. The cost of those operations would, it was estimated, be about £250,000; and when Her Majesty's Government came into office, a contract had actually been entered into for the manufacture of what, I believe, is called the core of the cable. The cost of that manufacture is represented by the sum of £115,000 which I have just mentioned. Upon a consideration of the whole matter —which will be more conveniently discussed in detail upon the Vote—and taking into consideration as a main element the advanced season of the year and the extremely narrow margin of time, during which tolerably fine weather could be reckoned upon, we thought it would be wiser not to prosecute the plan for laying this cable during the present season; and, consequently, a smaller sum is asked from the House than would otherwise have been required. The sum which will be asked for is simply the price of the cable manufactured under contract, which contract we found in course of execution at the time we entered upon the exercise of office. The total of these items of increase upon the Miscellaneous Estimates which I have stated to the House is £667,000. On the other hand, there are some items of decrease by which that is partially balanced, but I believe that the net increase in the amount of the Miscellaneous Estimates of this year, as compared with those of the last, is somewhere between £580,000 and £599,000. Now, if the Committee will take the trouble to add together the figures which I have given them, they will find that whereas the revenue of the year as it is estimated amounts to £64,340,000, the estimated expenditure will amount to £69,207,000. Subtracting the smaller from the larger of these sums, the result is a gross deficiency of £4,867,000, and that is the charge the mode of making provision for which will have to be considered by the Committee. Now, Sir, before I go into any particulars with respect to the mode of meeting that extra charge, I should wish briefly to draw the attention of the Committee to one or two general considerations which appear to bear upon our present position, and to give it a somewhat peculiar character. I think, Sir, that it is plain that while this is a time at which it will become the Committee to make an adequate and effective provision by those means which they shall think most in accordance with the public interests for the wants of the year; it is likewise a time at which the attention of the Committee should be rigidly confined to the wants of the year. The first reason for that is, that no one can review the Estimates which I have laid before the Committee without observing that they bear in no inconsiderable degree an exceptional character. The circumstances out of which they have grown are full in the notice and in the knowledge of the Committee; but, without entering into detail upon those circumstances, I may in general terms say that they are obviously such — I speak especially of the state of affairs abroad—that if within the next six or twelve months they do not grow worse we may then entertain a confident expectation that they must grow better. The Estimates which have been submitted to you bear—I do not conceal the fact — they bear what may so far be called an ambiguous character, that while they greatly fall short of the sums that you have been called upon to vote in time of war, they on the other hand considerably exceed any sums which Parliament has been called upon to vote in times of peace and with reference to the maintenance of peace establishments. If I take the Estimates of the previous year, 1858-9, which were not considered to be low Estimates, as the standard of comparison, I find that they exhibit the following figures; —In 1858–9 the sum voted for the Army was £12,010,000, and that for the Navy £8,890,000. In every case when I speak of the Army I include the Militia, and when I speak of the Navy I include the Packet Service. In the current year the Estimates voted for the Army, instead of £12,010,000, have been £13,299,000; and the Estimates voted, and willingly voted by the House for the Navy, instead of £8,890,000, have been £12,782,000; so that you have an increase of £1,288,000 on the Estimates for the Army, and of £3,891,000 on those for the Navy, making together an augmentation upon Estimates which were themselves high, amounting to no less than about £5,180,000. That, as I say, may be thought to constitute an exceptional state of things, from which I draw no other inference than this, that the present time is thus far marked out to us as one at which it is hardly open to us to busy ourselves with extensive prospects or with comprehensive plans; but that we ought to confine ourselves to the duty of making a sufficient and effective provision for the wants of the year which has actually commenced. There are other circumstances which I think greatly tend to corroborate the same conclusion. Next year has already been marked out by the proceedings of previous Parliaments as a critical one in the history of our finance—as a year when it must be the obvious duty of Parliament, whatever political circumstances may occur, to enter upon a comprehensive review both of the system of taxation, and also of the scale of our expenditure. I may remind the Committee that during the next year the income tax by law from the 5th of April will lapse. At the same period, according to the understanding arrived at by Parliament, certain war duties on tea and sugar, which have been granted for a period of three years from the year 1857, will also lapse. The disappearance of these duties would ultimately make a difference in the receipts of the Treasury of about, in round numbers, £8,000,000. On the other hand, next year we have the advantage of a falling off in the Long Annuities, and it will be the duty of Parliament to consider whether they will endeavour to signalize the year of escape from so serious a burden as the constant and permanent payment of £2,000,000 by something done for the benefit of the people, or whether they will simply allow those £2,000,000 to be dragged unnoticed into the general vortex of expenditure, to be disposed of piecemeal in augmentation of £10,000 on this Vote, £30,000 on that, and £100,000 on another. All these considerations will bring the Committee—as they have already brought the Government—to the opinion that the present is not a year in which we ought to enter on the consideration of what is termed prospective finance, but that we ought rather to be contented with temporary, and I might say almost provisional finance, provided it be sound and adapted to the occasion. I might also plead the short period during which we have held our offices, which has made it impossible for us, each in his own department, to consider in what respect a reduction of expenditure might be possible. We have come into office with a full conviction that the great demands made upon the House for military Estimates are demands both justified and required by the highest interests of the country. In stating therefore to the Committee the amount of these Estimates and the magnitude of the figures which they involve, it is not my intention to take in respect to those demands in any degree an apologetic tone. On the contrary, I know well that large as those demands are, they have been voted with freedom and with enthusiasm, and that if it had seemed right to the Government, from the information which we possess, to make a still larger drain on the confidence and patriotism of Parliament, it would have been as freely and as warmly met. But apart entirely from the exigencies of the public defence and the public service, it remains the duty of the Government to consider what is not only necessary to be done, but likewise to take care that the funds with which they are so generously intrusted are wisely and thriftily expended; and it is with reference to that great duty of public economy—a duty which no public exigency can set aside — although, unfortunately, certain circumstances of public affairs greatly indispose the minds of men to its dry details —that I venture to submit to the Committee that the Members of the Government have, as yet, had no opportunity of considering, each in his own department, in what respects, apart from the honour and safety of the country, it is possible for them to look forward to any alleviation of the public burdens by way of counterpoise to the present heavy demands which the necessities of the time have imposed on the public purse. I must also remind the Committee that I have not the honour to address it, as is usually the case, either before the financial year has commenced or shortly after its commencement. Nearer four months than three have now elapsed since the commencement of your financial year, and none of your financial measures, therefore, can be made practically retrospective. Subject to the effect of these general considerations, I come now to ask the Committee to reflect by what mode of supply shall we raise the sum which will enable us to meet the heavy demands of the year? Of course this great question divides itself at first into these two branches —shall we attempt to raise the necessary funds by borrowing or by taxes? The Committee will have to consider whether this is an occasion on which it ought to resort to the expedient of a loan. The sum which is required is between £4,000,000 and £5,000,000. It is certainly a large sum to demand from the tax-payers at a short notice. But, on the other hand, it is a sum which has never driven a British Parliament to the expedient of augmenting the National Debt. I think we are all nearly agreed on this, that in time of peace nothing but a dire necessity should induce us to borrow. Whatever doctrine may be theoretically held and propounded by high authorities with respect to the facility with which we bear the burden of a national debt, I do not think that any man standing in my place would wish so to apply that doctrine as to relax the sound manly sentiment which fills the British people and Parliament with aversion to the principle of borrowing to meet the ordinary expenditure of the year. There have been cases undoubtedly — but they were exceptional cases—in which we have resorted to borrowing even in time of peace. Two I may quote, but I quote them only that the Committee may bear freshly in mind how different were the circumstances from those in which we now stand. In 1835 the Government of Lord Melbourne borrowed £20,000,000 for the purpose of negro emancipation, but that was a service to mark an epoch in a nation's life, and it had no connection with the ordinary expenditure of the year. Again, in 1847-8, my right hon. Friend the present Secretary for India (Sir Charles Wood) made a loan of £10,000,000, but it was for the purpose of meeting a frightful visitation in the sister island, and at the time it would have hardly been possible to raise by the taxes of the year the sum for which he was compelled to apply to Parliament with the view of relieving the distress occasioned by that calamity. Those two cases are entirely different from this both in amount and in principle. They are different in amount, because one sum was four times, and the other twice, as large as that which I have now to ask at your hands. They were different also in principle, because while one related to a great and extraordinary visitation of Providence, the other was connected with a permanent social change, the opportunity of which could not again occur. You are now, on the contrary, called on to meet an expenditure which, legitimate and needful as it is, has reference strictly and exclusively to your own wants,—to the wants of the time in which you yourselves are living. It appears to the Government for these reasons, and I hope it will also appear to the Committee, that this is not the occasion for a loan. Another matter we are bound to take into view in considering this question is the condition of the country. I must express my firm conviction that there never was a period when the people of England were better satisfied of the justice and necessity of the demands made upon the public purse, and that there never was a time when they were more able or more willing to meet them. I refer it alike to the hearts and understandings both of those who hear me, and of those out of doors who will consider our discussions and debates, whether we should not shrink from our duty and disgrace the memory of those who have gone before us if we were to hesitate to say that we will provide for the wants of the day in which we live, not in such a manner as will further embarrass our posterity, but out of the resources immediately at our command. There is another reason, too, not altogether agreeable, at which I may slightly glance. There will soon be another public borrower in the market with whom I have no desire to compete. My right hon. Friend the Secretary of State for India will, I believe, have to make another application to Parliament in addition to the measures already taken, in order to meet the exigencies of the Indian service; and if the Committee will allow me, I must frankly confess that I would rather leave the field clear to him, and be dispensed from interfering with his operations. What I have presumed to say with regard to a loan appears to me equally applicable to the more temporary mode of borrowing by instruments at a short date, such as Exchequer bills. If ever there was a time to which this mode of borrowing was inapplicable, it is the present, because its effect would be, not to throw the burden on posterity, but upon the year 1860, which we shall all agree is already charged to its very utmost. If, then, I have sufficiently got quit of the first alternative of making provision by borrowing for the deficiencies of the present year, and if we seem to be driven by considerations of justice and policy to the other alternative of looking to taxes for the means of meeting our expenditure, we have still one other question before us—shall we look to direct taxation or to an augmentation of our indirect taxes? I propose not to enter into any elaborate or detailed inquiry, because I think a very few minutes will suffice to dispose of this portion of the subject. But, inasmuch as there is nothing irrational in the first idea of resorting to indirect taxes for either the total or the partial relief of the exigencies of the State, let us calmly advert in a few words to the articles upon which alone it might, perhaps, be possible to think of obtaining rapidly and effectually some considerable amount of revenue. Those articles which I think would present themselves to any Finance Minister engaged in the disagreeable task of selecting new subjects of taxation would, I think, ordinarily, be malt, spirits, tea, and sugar. I confess, Sir, it is my own opinion, and it is the opinion, I believe, of all my colleagues, that it would not be desirable to propose any augmentation of the duty upon malt. ["Hear, hear!" *from an hon. Member on the Opposition Benches.*] I am glad to have given consolation to at least one anxious and wounded mind; but we must frankly own, and I own it the more frankly as I was the person who proposed the measure, that when we did, under strong necessity, in a time of war, propose a great augmentation of the malt duty, although we derived from it a large sum of money, yet that sum of money did not altogether answer our expectations. It is not a very elastic revenue. It is a large revenue, but it does not seem susceptible of bearing additional burdens. On the whole, therefore, what seems obviously to be the dictate of good sense is that under present circumstances we should let well alone. Well, then, the next article I mentioned was the article of spirits, and I believe that, judging from what I hear of the accelerated deliverances from bond of spirits in the different parts of the United Kingdom, there is a portion of the public who either think themselves, or who think that somebody thinks that they are, very proper subjects of taxation. I should be very sorry to give a pledge which was intended to bind future years, because the principle upon which the House of Common has, I think, uniformly proceeded with respect to spirits has been, not that we ought to lower the duties upon them as much as we can consistently with the interest of the revenue, but that we ought to raise the duties upon them as much as we can consistently with the policy and necessity of preventing the growth of a contraband trade. I wish merely to say, that we now think that question should be postponed to a future year. The Committee will recollect that we have been very bold, and I am thankful to say, upon the whole, very successful for a series of years in our operations upon spirits. From the year 1853, when it was my good fortune to take the first step in that movement, down to the year 1858, when the right hon. Gentleman opposite put the last hand to the work and completely equalized the spirit duties in the three kingdoms, we have had a number of successive changes which have upon the whole been, I think, eminently satisfactory in their results; but I will give the general figures very briefly, so as to enable the Committee to form their own judgment. In the year 1853, when we began to deal with the spirit duties, the total amount in round numbers, of duties collected upon British spirits—of course I do not include either colonial spirits or brandy—was, in England, £3,165,000; in Scotland, £1,867,000; in Ireland, £1,267,000. In 1859 the total amount of these duties collected in England was £4,073,000, being an increase of £907,000. That was upon a uniform duty, and no change, except a very trifling adjustment, had taken place in England; but, at the same time, England had been deriving supplies from Scotland and Ireland in a manner that it would be hardly possible to show upon the face of the account. England showed an increase upon the face of the account. Scotland had risen from £1,867,000 to £2,750,000, showing an increase of £882,000; Ireland from £1,267,000 to £2,364,000, showing an increase of £1,097,000. The general result has been that from this most legitimate source of taxation we have had an increase between 1853 and 1859 as follows:—The total in 1853 was £6,301,000, and the total in 1859 was £9,188,000, or an augmentation of £2,887,000, which I trust we may look on substantially as a real addition—without a single moral drawback attending it, but rather the reverse—to the amount of the permanent revenue of the country. After making due allowance for the progress of the population in the three kingdoms, I think we may say that from £1,000,000 to £1,200,000 of that sum has been due to the augmentation of duty imposed by Parliament in successive years upon the kingdoms of Scotland and Ireland. Considering, however, with what difficulty the whole subject of the spirit duty has been attended in Ireland; considering how recent, how great, and how rapid have been the augmentations of duty in that country, for they have hardly had a single year's rest—Chancellors of the Exchequer from time to time have been so anxious to get back upon them, and considering that at this moment our success has been complete, so that we have no reason to believe that a contraband trade has received any stimulus; but, on the other hand, considering how short an experience of a few months is for determining a matter so serious as that,—I mean the question whether there is a danger of stimulating the creation of a new contraband trade on a greatly extended scale; considering these things, we are certainly of opinion that it would be unwise, and, at all events, premature, to raise at the present moment any question with respect to the general increase of the spirit duty through the three kingdoms. With regard to a particular increase to take effect in England, or in England and Scotland and not in Ireland, whatever the yield to the Treasury might be, it would be decidedly a measure of retrogression and not of improvement. That is a step which I think that we should not, under any circumstances, be disposed to take. Therefore, Sir, malt gives us no hope, and spirits yield us no means of replenishing the public treasury. Now, what are we to say of the more important and more vital articles of tea and sugar? I have presumed to impress upon the Committee the opinion that we are dealing at present not with a prospective and permanent finance, but with the finance of the moment; that we are making provision for the year; that we do not wish to tie the hands of Parliament, if we can avoid it, with reference to anything that may take place in future years; that we wish that Parliament when it meets again after the recess should be in a condition to face as a whole the great and serious question of revenue and expenditure that it will then have to meet. But if these considerations be just, they form a most powerful argument against meddling at the present moment with the indirect taxes of the country, because you cannot touch one of these indirect taxes, and especially you cannot touch the taxes that are derived from tropical articles, without greatly interfering with the course of trade. You may tax your malt, you may tax your home-made spirits; you then interfere with trade; but you interfere with trade far more if you touch sugar, or if you touch tea that has to be brought from what I may call the extremities of the earth. I do not speak now of the interests of the consumer. I speak simply at this moment of the interests of trade, and I say it would be contrary to those wise and circumspect rules which govern the proceedings of Parliament in regard to its fiscal legislation, if they were to permit themselves to interfere with those great and capital trades of the country for the purpose of supplying what we must call a momentary derangement. But there are other reasons which, I confess, amount for me to a demonstration, and more than a demonstration, upon this subject. It is undoubtedly true—I have already mentioned to the Committee by anticipation the deliverances of spirit—that the deliverances of tea and sugar within the last few weeks from bond have been very large indeed. I do not know whether these deliverances show confidence or a want of confidence, but at any rate I will proceed to lay as well as I can an argument, which appears to be conclusive, against raising the duties on those articles, before the Committee. When we deal with a question between direct and indirect taxation, we deal to a certain extent—imperfectly and roughly no doubt the distinction is taken, but still it is in fact and in substance a true distinction—we deal to a certain extent with a question between a rich man and a poor man. All classes are affected by taxation, but direct taxation falls upon the middle and wealthy classes, while indirect taxation weighs with much more serious pressure upon the poor and labouring man. This was felt by Parliament at the commencement of the Russian war, and in the effort which it made in successive years to meet a large portion of the demands of that war by means of new taxes it carefully observed the maintenance of a due relation between the amounts of direct and indirect taxation. And I think, without going into minute particulars, I may say that it was the determination of Parliament, as evinced by its act, that of that portion of the war expenditure which was to be drawn from taxes, the greater part should be taken from direct taxes, and the lesser part from indirect taxes. But now let us see what has happened since the close of the war. The war closed in the month of March, 1856, at the beginning of the financial year, but the finance of the year 1856-7, although it was a year of peace, was not, and could not be, a finance of peace, because it was a year of transition, and, in fact, a great part of it was consumed in bringing home the armaments from the Crimea. That year in fact, was a year of war more than a year of peace so far as the expenditure was concerned. But in 1857-8 began a finance of peace, and a reduction to a peace establishment. My right hon. Friend the Secretary of State for the Home Department (Sir George Lewis) found himself under the necessity, with reference to the demands of the public service in that year, of keeping up a portion of war taxation. Had war taxation been entirely removed on the 31st of March, 1857, the duty on sugar of the lowest class would have gone down to 9*s.* 6*d.* per cwt., the duty on tea would have gone down to 1*s.* per lb., and the tax on incomes would have gone down to *5d.* in the pound. My right hon. Friend, finding the necessity for further income and a partial retention of war taxation in order to meet the scale of expenditure which had been, or was to be sanctioned, maintained that portion of taxation distributed between its two main heads. He requested Parliament to continue a modified part of the extra duties on tea and sugar; but he likewise retained *2d.* in the pound on incomes, which would have dropped if the Act of 1853 had been suffered to take its full effect. My right hon. Friend obtained from Parliament the continuance of those extra tea and sugar duties from April, 1857, to March, 1860, or a period of about three years, and the result has been as follows:—We have kept up a certain portion of war income tax, that is to say the imposition of *2d.* in the pound which would have lapsed under the Act of 1853, and which yielded two millions of money. But that we kept up for one year only, from April, 1857, to March, 1858. In the financial year 1858-9 the income tax went down to the limit which was provided for in the Act of 1853, but the tea and sugar duties continued at the limit at which they were fixed for a period of three years by the Act of 1857. The result is shortly this—if we look at the three years 1857-60, during those three years we shall have raised, of what must be regarded as temporary war taxation, two millions only from direct taxation in the shape of income tax, and three millions a year from tea and sugar, or nine millions of indirect taxation. If that be a true state of the account, and I believe it cannot be impeached, then, I say, whatever may have been the anticipations of the public out of doors, whatever the patience of the traders or of the consumers, it would, in the view of the Government, be a positive breach of duty, and an act of gross injustice towards the consumers, if at this moment we were to ask you to add one single shilling to the imposition on tea and sugar. But if it be not slaying the slain to pursue that question further, I would likewise remind the Committee of the position in which we stand for raising money at this moment by Customs and Excise duties. Customs and Excise duties are very convenient in one point of view—namely, that you begin to get the duty the very night you make the financial statement, and if you make the financial statement just after the close of the financial year you get twelve months' duty for twelve months' taxes. But what is our case now? We might resort to the odious course of laying on *3d.*, or *4d.*, or *5d.* a pound on tea, and *3s.*, *4s.*, or *5s.* per cwt. on sugar, but we should not get twelve months' duty. Three and a half months are irrecoverably gone and counted with the past. One and a half month more have already been forestalled by payments in anticipation. At this moment the Exchequer of the country is richer than it ought to be by upwards of a million of money in duties on tea and sugar, which have been paid in advance, earlier than they would have been paid in the natural and ordinary course of trade, by parties who supposed that it might be the possible pleasure of Parliament to enact an increase of those duties. That being so, we arrive, Sir, at a point which can be easily anticipated. [*Laughter.*] The divining faculty of an intelligent audience altogether outruns either the power or necessity of a detailed statement. It only remains to consider what we shall do with the income tax. The income tax, as I conceive, was introduced into our fiscal legislation for two great purposes and at two different periods. The one was to effect permanent and salutary reforms in our commercial and fiscal system, and the other was to meet in the manner the most efficacious sudden public exigencies. I wish it had been my fate to ask the Committee to vote an augmentation of the income tax for the former rather than for the latter of these circumstances. I trust that the day may yet come when, if the income tax is to be continued, Parliament will recollect that it derived no small part of its passport as a peace tax to the public favour or public endurance for this, that it was associated, as it has been, with other changes of the law productive of the widest and most permanent social benefits. This other purpose, however, of meeting great public exigencies and extraordinary demands on the public purse—that is, demands extraordinary in amount yet strictly referable to current wants—although it be not one so pleasant to entertain, yet is it one equally legitimate, and I put it broadly, that in a case like this, where, for the dignity, honour, and safety of the country we are called upon to make great and rapid efforts in the augmentation and extension of our defences, the income tax is beyond all others the regular and legitimate resource to which to resort. I do not know whether the Committee would like me to lay before them any facts with regard to the condition of the income tax, and the expectation the country has entertained that it might be found practicable at a period now approaching to part with it. I do not speak of the augmentation which I am about to propose, but I speak of the income tax with reference to its acquiring a place of permanence in finance. In the year 1853 there was an expectation that the revenue of this country would so thrive under the system which had been in operation that we should be able to dispense in seven years with the aid of the income tax as an ordinary tax for the purpose of national income; and, so far as depends upon the revenue of the country, and the simple consideration of the revenue, that expectation has been entirely fulfilled. If I go to the expenditure of the country as it was in 1853, and if I compare that expenditure with the present revenue, there is not an expectation which was held out in 1853 (I do not speak of details, but I speak of general results) which has not been more than satisfied and fulfilled. In 1853 the revenue was £59,024,000, and the expenditure £55,769,000. In the year 1859-60—taking, of course, the estimated revenue—the revenue is £64,340,000, showing a growth of £5,316,000 in revenue, which is a sum as large as an income tax of *5d.* in the pound. But that is not all. We must balance our revenue with expenditure. The expenditure in 1853 was £55,769,000. The estimated expenditure of 1859-60 is £69,207,000; so that while our revenue has been growing £5,316,000 our expenditure has grown £13,438,000, and that is a very simple, transparent, and conclusive explanation of the difficulties with regard to parting with the income tax. When I say that the revenue has increased to the extent of £5,316,000, I would remind the Committee that that is entirely independent of the advantage next year from the falling in of £2,146,000 Long Annuities, which, indeed, increases the revenue up to £7,000,000, being enough, as I can show if we go into details, to enable us to part both with the income tax of *5d.* in the pound, and likewise with the war duties on tea and sugar if only our expenditure had not increased. That is the simple case, which at a future time, if it is thought right, I will display in more detail; but I pledge myself that, taking the revenue as it stands and is estimated to be, there would not have been the slightest difficulty in dispensing both with the income tax and the remaining war taxes on tea and sugar, if it had not been that the exigencies of the public service, as stated from time to time, have created new calls, which of course must be met by resorting to corresponding taxation. Well, Sir, £4,867,000 was the sum which I ventured to state to the Committee as the gross deficiency which we shall have to meet. But there is a question which I am about briefly to open, and a source from which (without exposing ourselves to any objection which applies to borrowing, and without inconveniently interfering with the course of trade or private interest) we may yet draw a limited sum in alleviation of the public burdens. It is a source not altogether new to this House, because it has been mentioned from time to time by Chancellors of the Exchequer, and it has always been felt that the time would come when some proposal on the subject would be made. I refer to what is called the system of malt credits. It is known to a large portion of the Committee that there is a peculiarity in the collection of the malt and hop duties. I will not touch upon the latter, because the case is peculiar, and the amount involved small; I will deal exclusively with the duties on malt, and speaking roughly there is a credit of nearly six months which is given to the maltster by the public, the effect of which is that he makes his malt, disposes of his malt, and is paid for his malt in general, or at least if he is not, it is his own fault, before he is called on to pay the duty, or, in other words, to a considerable extent the public find capital for the malsters. This, with the slight exception of the hop duties, is altogether an exceptional privilege. The distiller of spirits, directly after the spirits are gauged and the gauging officer has completed his round, is called upon to pay the duty. A delay of five or six weeks is all that takes place in the payments of the distillers of spirits and the makers of paper, and in point of fact the duty is paid as soon as the collector can make out the charge. The Government give them no credit, but they require them to pay the duty to the revenue officer when he presents his account. In the case of the malt distiller there is a clear term of eighteen weeks, which, added to the other six weeks taken for making out the accounts, makes a delay of nearly six months. In former times it was felt that these questions had an importance in relation to the system of protection and the dependence of the agriculturist upon the prices that barley fetched in the market. It was thought, and with some colour of reason, that this system of supplying capital to the man who buys barley from the farmer had a tendency to augment the price of barley to the purchasers. It certainly did tend to break up the malt trade, and to bring many competitors into the market. But we have, I hope, long outlived the day when any consideration of that kind, arising out of artificial interests, either could, would, or ought to be entertained. The system of finding capital for traders on the part of the public is in principle a bad system, and being bad it has also this second bad feature, that it is an exceptional system, being a privilege granted to some and not to others. Therefore the Government are of opinion that the time has come when this system may be safely modified—I don't say abolished altogether, because a sudden abolition of such a system would derange the trade, and run the risk of hampering the operations of private parties, whose resources might not be large, and that would be extremely objectionable. My proposal is, therefore, to deal with the malt credits, but to deal with them in the mildest manner. Of the eighteen weeks now allowed we propose to take away six, leaving twelve. I do not say that there might not be a further measure in the same direction at a future time, and after matters have been adjusted to the present change; but this I do say, that I am most unwilling to give grounds for complaint, and in proposing to abridge these six weeks from the credit given in the case of malt we also propose that you should incur the very small expense of allowing the malster a discount at the rate of 4 per cent. on the payments made under the proposed system at an earlier period than he has been accustomed to make them, so that the shortening his credit would be a matter limited in extent, and as far as possible reduced to the condition of a banking transaction. Of course in future years there would be no operation of discount, and the credit would stand reduced to whatever Parliament might determine. I will not trouble the Committee with the intricacies of the arrangements under which the malt duties are collected, and under which the year is divided into certain periods, the malt is gauged, and the duty charged and collected from the malster. But the effect of reducing six weeks from the credit allowed to the malster will be to bring into the Exchequer, and not only that, but to bring into the Exchequer before the 1st of April next, the sum of £780,000, which, if the present course of collection were adhered to, would not find its way there before the following financial year. In point of fact, the public have £2,500,000 out on loan to the maltster, of which I propose to take up, by a Resolution I shall submit, a sum something short of £800,000. Well, that is a deduction, as far as it goes, from the rather formidable figure of the deficiency that we have to supply. That deficiency, it will be recollected, I stated at £4,867,000, and the deduction of £780,000 will make it stand at something over £4,000,000. That sum we propose to raise by an augmentation of the income tax. The present rate of the income tax is 5*d.* in the pound. We propose an addition of 4*d.* in the pound. An addition of 4*d.* in the pound would yield something over £4,000,000 of money. In making an addition of that kind, it will be necessary of course to reintroduce the distinction between incomes above £150 and incomes under £150; because that distinction was originally introduced when the rate was at 7*d.*, and was allowed to drop when it fell to 5*d.*; but when it goes above 7*d.*, take it for granted there cannot be a doubt that the distinction must be reintroduced. I think it will also be the feeling and disposition of the Committee that any additional rate laid on incomes between £100 and £150 should be rather lightly laid in reference to sudden calls of this kind, so as to give what, in commercial phraseology, I may call the turn in their favour. Therefore, what I propose is, that the 4*d.* laid upon the general mass of the income tax payers should stop at incomes of £150, and that in lieu of 4*d.* in the pound paid by incomes above £150, the rate of 1½*d.* in the pound should be laid upon incomes under £150. But I must frankly admit that my proposal is, that the whole of the addition to the income tax, which is voted for the service of the year, shall be made applicable to the service of the year by being charged on the first half-yearly payment. It is, I take it, the clear sense of the Committee that on this occasion we ought to pay our way. It is also the clear sense of the Committee, if I gather it rightly, that we ought to pay our way without resorting to indirect taxation. Having done what I am able towards a reduction of the deficiency by a limitation of the malt credits, I still find £4,000,000 of money staring me in the face. And if I am to have that money for the service of the year, it must be in the Exchequer before the 1st of April, nor can it be, by any means that I am aware of, in the Exchequer before the 1st of April, unless it is made leviable in one single payment, on the first assessment or charge, after the Resolution shall be adopted by the House. [*Murmurs.*] I wish to explain to the Committee, if they will hear me, exactly how the payments will stand. I wish to show the Committee what it is the tax-gatherer will ask for, the next time he shows what I suppose we must call his ill-omened visage at the taxpayer's door. The effect of my proposal is to place an addition of 1½*d.* in the pound upon all incomes under £150, and upon all above £150 an addition of 6½*d.*, or at the rate, annually, of 13*d.* on incomes above £150. But the first half-yearly payment of the taxpayers whose income is under £150 a year will be at 4*d.* in the pound. The remaining liability for income tax for 1859–60 will stand exactly as it does now, at 2½*d.* for both classes. So that the first half-yearly payment will be 6½*d.* on incomes above £150, and 4*d.* on incomes under £150, or at the rate of 13*d.* in the year on incomes over £150, and 8*d.* on incomes under £150. The result will be that the tax will bring into the Exchequer the sum of £4,340,000. Adding that to the sum of £780,000 which the malt credits will bring in, the total will be £5,120,000 Now, the deficit, as I have already stated to the Committee, is £4,867,000, and deducting that sum from the Ways and Means which have thus become available, there remains a surplus of £253,000. It will naturally be observed that this surplus is very small, but I should wish to say a word to the Committee on that point. I have already pointed out to the Committee that there is a charge of £400,000 which we must be prepared to meet in January, which legally falls to the charge of this year, but falls to it by an accident, and which really belongs in the ordinary arrangement of our finances, not to this but the following year. That being so, I do not consider that I am bound to raise taxes for such a sum as that. The whole question is whether it is a sum that can be conveniently met out of the public balances, and if the Committee will permit me I will state how the public balances have stood lately, how they now stand, and what they are likely to be at the close of the financial year. On the 30th of June, 1859, the balances for the financial year were £5,016,000. But on the 1st of April, 1859, at the commencement of the financial year, they stood at £7,789,000. In the course of the year it is calculated that there will be several additions to the balances from a probable excess of repayments over outgoings for public works, to the extent of £500,000. The surplus revenue I have estimated at £253,000, and these sums will make altogether £8,542,000. From that you will have to deduct £2,000,000. Exchequer bonds paid off on the 8th May, in consequence, as I have no doubt, of the dissolution of Parliament and there being no opportunity to consider whether any provision ought to be made for them. Deducting these £2,000,000, the probable balances on the 1st of April, 1860, will be £6,542,000. That is an ample amount, and more than is absolutely necessary for the coming year, because the subsequent quarter will be relieved in this respect to no less an extent than £1,000,000 in consequence of the lapse of a large portion of the terminable annuities. That, I think, is the statement which I have to make to the Committee. I shall not, of course, ask the Committee to come to any material vote to-night. It will be for the Committee to consider when they will like to resume the discussion of the subject. If I anticipate their wishes rightly, they will probably desire to choose a very early day in reference to the state of the weather, of the Session, and some other considerations that are better to be reflected on than named. I shall only propose to-night a formal vote of Ways and Means, and I shall lay on the table the Resolutions having reference to the income tax and the malt credits. Now let me add another word before I sit down. I know I have made a great demand on the generosity and patriotism of this Committee; but do not be repelled from considering that demand by the fact, which we all know, that it is disagreeable to us individually, and does not tend to promote our popularity as a Parliament, to augment the burdens of the people. Look at the charge you have incurred, and the Estimates you have voted. Consider, if I may be permitted to make the appeal, that neither the honour nor responsibility of these Estimates are mainly ours. Our duty has mainly been to take over the Estimates framed for us by our predecessors, but yet we have taken them over not in the mere discharge of formal official duty, but with a ready warmth and a conscientious assent. But there stand the Estimates. There is the charge you have placed on the public Treasury. How will you meet it? Do not allow yourselves to be swayed by considerations of what might be merely agreeable. Ask yourselves whether you have really performed your duty by simply fixing the expenditure of the ensuing year, as has been done in the main and is likely to be entirely done so, at a sum of £69,000,000. If you have performed your duty in that, there is another duty not less transparently clear—namely, that you should make adequate provision to meet that charge; and, instead of ascribing to the great English people a childish impatience to meet necessary demands, with which they were never chargeable, I, on the contrary, shall rely on their unyielding, inexhaustible energy, and generous patriotism, and shall be confident that they will never shrink from or refuse any burden required in order to sustain the honour and provide for the security of the country. With that conviction I shall conclude by proposing a formal Vote to the effect that £7,000,000 be granted to Her Majesty out of the Consolidated Fund for the public service.

Resolution *agreed to.*

Resolved, That, towards making good the Supply granted to Her Majesty, the sum of £7,000,000 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

THE CHANCELLOR OF THE EXCHEQUER: The next Resolution I shall only lay on the table. When will it be convenient to consider it?

MR. DISRAELI said, that at first he was about to suggest Friday; but as he afterwards recollected that Thursday was now a Government night, he would suggest Thursday.

SIR HENRY WILLOUGHBY said, he would not at that time enter upon the question of the income tax, but he wished to know if the expenditure mentioned by the Chancellor of the Exchequer as having occurred last year was the real *bona fide* expenditure of the year, or was it only that which had been brought into the cash account? He mentioned that because he had sometimes found discrepancies as great as a million and a half between the Chancellor's statement and that which was afterwards certified by the auditors.

The CHANCELLOR of the EXCHEQUER said, there was no doubt often a great difference between the accounts as they were first presented and as they were found finally to stand. All he had to say was, that the accounts were made up in the same manner as in former years; and he might add, it was impossible to make them up otherwise, with expenses such as ours scattered over the whole world. But he believed in this matter of discrepancy one year balanced the other.

Mr. HENLEY said, there was one part of the right hon. Gentleman's statement which was liable to be misunderstood. He had stated that at the Michaelmas quarter the public would have to pay 4*d.* or 2½*d.* in the pound, and in the following April only 2½*d.* in the pound. He did not think that quite represented the fact. They all knew the old story of the landlord who made a deduction from his tenant's rent of 10 per cent at Lady-day and 10 per cent at Michaelmas, and then endeavoured to persuade John that he had remitted 20 per cent on the year's rent. How stood the facts here? In the case of the dividends and rents there would be two levyings of taxes in the two half-years.

The CHANCELLOR of the EXCHEQUER explained that the income tax was charged on the annual assessment, and the whole payment of 4*d.* in the pound would be taken in one half-year. With regard to dividends and official salaries, which were received half-yearly, of course the rate must be doubled on the first half-year received, so as to make the amount paid for the whole year 4*d.* in the pound.

Mr. MALINS said, that taking Schedule B, he understood the effect of the right hon. Gentleman's proposition would be to place those persons who had paid their income tax of 2½*d.* in the pound for the half-year ending in April last in the same position as if they had paid 4½*d.* by charging them with an additional 2*d.* in October. The consequence would be that in October next professional men like himself would be called upon to pay 4*d.* in the pound, in addition to the half-yearly payment of 2½*d.*, and the total amount to be paid in October would therefore be 6½*d.* in the pound. This would be certainly a very heavy charge to be met in the course of one half-year. There was another portion of the statement of the right hon. Gentleman to which he wished briefly to advert. The right hon. Gentleman had compared the expenditure of the year 1853 with the present expenditure; but in doing so he had fallen into the error of omitting from his calculations the fact that in the former year it was the net revenue, while in the latter it was the gross revenue that was given. Those were, however, only points of detail; and he had risen for the purpose of expressing his opinion upon a matter of more general interest. He could not refrain from giving utterance to his disappointment that, after the anticipations which had been held out by the Chancellor of the Exchequer in 1853 that the effect of the measure which he then introduced would be to relieve the public in 1860 from that hateful impost, the income tax, he should not only propose that that tax should be increased but very nearly doubled. He was greatly surprised to find the right hon. Gentleman recanting all his former opinions with reference to the income tax, for he had expected that if he found it absolutely necessary, in consequence of the public burdens, to increase that tax, he would at least offer some apology, or adduce some reasons, for his change of opinion. The right hon. Gentleman, however, after all his professions, had with the greatest coolness reverted to this obnoxious impost, which he had formerly said ought only to be resorted to in time of war. Not only did the right hon. Gentleman propose nearly to double the income tax for the future, but persons who had considered their income tax as settled for the half-year ending in April were to be called upon by an *ex post facto* law to pay an increased impost for that half-year. He (Mr. Malins) ventured to tell the right hon. Gentleman that he would have very great difficulty in passing a measure like this, which would be received with the greatest possible disappointment, after the depression which the country had suffered under the sacrifices they had to make during the Crimean war. This was one of the reasons, no doubt, why the country was so desirous for a change of Government, and one of the first blessings attending that change — the reasons for which seemed every day more inexplicable — was that the country was to have a double income tax. His right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) had last year expressed an opinion, as he thought most wisely, that the settlement of 1853 ought to be adhered to, and as that decision was approved by no one more warmly than by the present Chancellor of the Exchequer, he (Mr. Malins) certainly expected that he would have given some reasons for abandoning the arrangement of 1853.

MR. ALCOCK said, he rose to take the very earliest opportunity of expressing his sincere thanks to the Chancellor of the Exchequer for the very noble and honest proposition he had made to the Committee, and although he was quite prepared to hear strong objections to it from the other side, he would venture to say that for one hon. Member of that House who objected to the right hon. Gentleman's measure, it would receive the warm approval of 10,000 men in the country. The right hon. Gentleman had laid down the principle which he was sure would meet with public concurrence, that it was right and honest that those who possessed the largest property should pay the largest proportion of the taxation. He gave the right hon. Gentleman the greater credit for acting upon such a principle, because he was aware how unpalatable it would be to hon. Members of that House, all of whom were men of large property. For his own part he only wished that the right hon. Gentleman had taken off half the malt tax and added 2*d.* or 3*d.* more to the income tax.

MR. BALL said, that the right hon. Gentleman had not certainly dealt with the producers of malt upon the present occasion with the same severity which he had displayed towards them in his former financial arrangements; but the right hon. Gentleman had not allowed that class to pass wholly unscathed. It appeared to him (Mr. Ball) that the right hon. Gentleman was mistaken when he supposed that the public supplied the malster with capital. The fact was that barley could not be immediately converted into malt, and all that the Government had hitherto done was not to subject malt to a duty until it could be brought into the market. That was surely a perfectly fair arrangement. He could not help fearing that the result of the right hon. Gentleman's scheme would be to create a diminution in the quantity of malt manufactured, and to reduce in a corresponding proportion the sum received under that head by the Exchequer. He thought, too, that the new arrangement would hardly be consistent with good faith towards the malster, inasmuch as it would extend at once to malt which it was naturally supposed would only be subject to certain established charges.

THE CHANCELLOR OF THE EXCHEQUER explained that the scheme would only affect what was called the "fifth round," which began on the 1st of October, and ended on the 15th of November.

MR. BALL: Then he did not find any fault with that portion of the arrangement. But he believed that the whole scheme would injuriously affect the interests of the malster, and that that injury would revert upon the public revenue.

MR. CLAY said, he had always objected to the continuance of the income tax without an adjustment of its grosser inequalities. He admitted, however, and he believed that the country would admit the necessity which induced the right hon. Gentleman the Chancellor of the Exchequer to increase the tax under present circumstances, and if he referred to the speech of the right hon. Gentleman when introducing the Budget in 1853, it was not for the purpose of taunting him with an inconsistency which necessity had forced upon him. This speech proved unanswerably that it was impossible in the distribution of that tax to arrive at anything like a near approximation to justice; but, in his (Mr. Clay's) opinion, it did not prove that there would be any difficulty in effecting some less unfair arrangement in the matter than that which at present existed. He felt persuaded, for his part, that the income tax must continue, to some extent at least, to be one of our permanent sources of revenue. Those who were young when Sir Robert Peel imposed it in 1842 were now middle-aged, and those who were then middle-aged were now old. Considering, then, that it would in all probability prove a permanent tax, he would put it to the right hon. Gentleman whether it would not be well that he should devote his great capacity to an attempt to mitigate the present irregularities of the impost.

MR. BARROW said, it appeared to him that it would be very inconvenient that the payment of the income tax should be divided in the very unequal manner proposed by the Chancellor of the Exchequer. In the first half-year the payment would amount to 6½*d.* in the pound, and in the second to only 2½*d.* in the pound; and such an arrangement would press upon many persons with very considerable severity.

SIR STAFFORD NORTHCOTE said,

he presumed that the right hon. Gentleman the Chancellor of the Exchequer would on a future occasion enter more fully into the details of the collection of the tax. His proposal seemed very simple as far as regarded rents and dividends from the Funds. But he (Sir Stafford Northcote) believed that there would be some difficulty in carrying it into effect in the case of salaries. The whole addition to the tax was to be collected in the first half-year; but the recipient of a salary might die before the year was ended, and a public charge would thus be imposed on a sum which he would never receive. In such a case what was to be done with the claim of his representative to have a portion of the tax returned? Or, again, what was to be done in the event of the salary being raised after the whole year's tax had been paid? Another question presented itself affecting the landed interest. Suppose a man had £5,000 in rents, and had to pay £1,000 out of it in annuities to other members of his family, he would be called upon to pay the whole additional tax on the £5,000 now; and the question was, would he be at liberty to deduct the full amount of the tax on the £1,000 from the next payment to the annuitants, or was it to be spread over a length of time? If he deducted the whole, the annuitants might die before the year was out. If he could not deduct the whole, he would be put at a disadvantage. Those, however, were matters of detail which could be more fully considered upon a future occasion. There was another point of more general importance to which he would for a moment direct the attention of the Chancellor of the Exchequer. A doubt had been raised whether the Act of the year 1857 with regard to the extension of the tea and sugar duties, would not altogether expire in the month of April next; and the right hon. Gentleman would probably feel it his duty to inquire whether that doubt was in any way well founded, as if it were correct it might leave the public Exchequer in a very awkward situation.

Mr. PULLER said, that as far as he could collect, the class of long annuitants whose annuities would drop next Christmas, would be subjected to a special hardship by the proposal of the Chancellor of the Exchequer, inasmuch as they would have to pay next autumn, or next winter, the addition to the income tax for the whole year, although their receipts were only to extend to three-quarters of the year. The arrangement might also operate very unfairly in the case of a farmer who left his holding at the expiration of the first half-year after he had paid the whole of that new charge, while his successor would be entirely relieved from that portion of the income tax burden. It appeared to him that it would be better to levy the tax in the usual manner. With regard to the proposal upon the subject of the malt tax, he should say that he saw no reason to apprehend that the supply of malt would not always keep pace with the demand. If the country were not to continue to furnish the malster with capital, as it certainly had hitherto done, he believed that no want of money would be experienced in conducting that branch of the national industry; but undoubtedly many of the present manufacturers of malt might find considerable difficulty in meeting the requirements of the proposed change.

Mr. STEUART said, that he felt it his duty to join the hon. and learned Gentleman the Member for Wallingford (Mr. Malins) in protesting against the proposed continued extension of the income tax. He could state that among his constituents there existed the greatest detestation of that odious and demoralizing impost, the severest condemnation of which had been pronounced by the right hon. Gentleman himself in 1853. He regretted that the Chancellor of the Exchequer should propose to undo the excellent budget of the right hon. Member for Buckinghamshire, under which the £2,000,000 or £3,000,000 surrendered in the shape of income tax had found its way to the Exchequer in the form of Customs' duties. But his proposition would at all events dispel the feeling of joy in which the country had been too hastily indulging, that the pledge given by the late Government of the termination of the income tax in 1860 would be redeemed, and some even might be disposed to think that it was that pledge which had induced the present Chancellor of the Exchequer to proceed in the opposite direction. He would not touch upon the minor difficulties which had been adverted to, and which were abundant, but he might be permitted to state what his impression was about a tax which was all his (Mr. Gladstone's) own, and of which we had now a five years' experience. He alluded to the legacy and succession duties upon real property. A small increase in one department was observed to stand out very prominently in the report of the Commissioners of the Inland Revenue, but he would call the right hon. Gentleman's attention to a difference between the law of Scotland and that of England, of which he might not be aware, and by which the revenue to some extent was affected. In Scotland, heritable bonds upon land, which were the same as mortgages on mortgages, were by a fiction of law regarded as real property, and the owners of such consequently escaped payment of the same proportion of taxation as property of the like description paid in this country. If the right hon. Gentleman turned his attention to this subject he might lay his finger upon a small sum towards making up the deficiency between the expenditure and the income. He hoped the right hon. Gentleman would tell the House what steps the Government were prepared to adopt to carry out the valuable suggestions of the Commissioners of Inland Revenue.

MR. PIGOT observed that he had invariably voted against the income tax, with one exception, and that was when the right hon. Gentleman (Mr. Disraeli), in his financial scheme of last year, led the House and the country to suppose that in 1860 the tax would cease altogether. So far, however, from that expectation being realized, they were now called upon to increase the tax. Possibly the large Estimates which the House had already voted, and for which the Chancellor of the Exchequer had to provide, left him no option; but he was quite sure that the proposition now made to the Committee would have the effect of fixing men's minds out of doors to the enormous extent which the Estimates had reached, and lead them to inquire whether those military preparations, he would not say for war but for defence, were or were not required, or whether the alarm now prevailing was not greater than circumstances warranted. He regretted that the reimposition of the income tax formed part of the right hon. Gentleman's scheme, and he further regretted that no difference was proposed to be made between incomes arising from trades and professions and incomes of a more permanent character.

SIR JOHN TROLLOPE remarked that he did not rise to remind the right hon. Gentleman of former speeches he had made on the subject of the income tax, but he thought that the country would protest against the manner in which the extra 4*d*. in the pound was to be laid on. In the course of three months the country would be called upon to pay the whole addition in one payment, and, as had been already pointed out, would in the case of annuitants be attended with considerable hardship. It must be also remembered that several persons would have ceased to occupy land which they held at the time of assessment. He wished the right hon. Gentleman would suffer himself to lose sight for a little time of the clear balance sheet he wanted to make up in March next, and divide the addition into two parts, taking one-half at Michaelmas and the other half at Ladyday. This would make the burden lighter, and no doubt obtain more favour for his proposition with the public. True it was, the Committee had voted large sums for the army and navy, and on that ground they ought to make the additional burdens as light as possible; but if the proposition of the right hon. Gentleman should be carried out, the tax would be difficult to collect. Then with regard to the manner in which it was proposed to deal with the malsters. The right hon. Gentleman said that they carried on their business with the capital of the country; but if they did, they gave the public the advantage, by allowing the same credit to the consumer as they received from the Excise. The proposition of the right hon. Gentleman would be attended with this disadvantage, that it would drive the smaller malsters, who carried on their business principally on credit out of the market, and thus vest the trade in the hands of a few monopolists.

MR. GREGSON said, he considered the proposition with regard to the malters fair enough, but with regard to the additional income tax he thought the levying of it in one payment would operate with extreme severity in many cases. He would suggest, therefore, that the payments should be equalized, or if a discount were allowed to those who chose to pay at once, he had no doubt the Chancellor of the Exchequer would obtain nearly the whole amount within the time stated. He also wished to express his satisfaction at what the right hon. Gentleman had said in reference to the tea and sugar duties, and his gratification that the amount now received from those duties, was far greater than they contributed to the revenues previous to the reduction.

MR. GLYN understood that the Chancellor of the Exchequer submitted this proposition as a mere temporary arrangement, and that between the present time and

1860 a full examination would be made as to the financial condition of the country and the whole system of taxation. In that view he was prepared to accept the scheme. At the same time he thought it would be well to reconsider the question of the period at which the increase in the income tax was to be made payable. He did not object that the manner in which the Chancellor of the Exchequer proposed to levy it would press with any undue severity on the public so much as that it would be attended with great practical inconvenience in the collection. He would recommend him to modify that part of his plan so as to avoid the creation of difficulties which did not already exist. The balances of the country were now pretty full, and he did not doubt that the right hon. Gentleman would be able to get on very well without having recourse to this stringent measure. As to the choice between direct and indirect taxation, there was not a man in the country who would not approve the course which had been taken by the Chancellor of the Exchequer.

Mr. VANCE said, that as an Irish Member he strongly condemned the principle of this tax. With regard to Ireland it was peculiarly oppressive. When the income tax was first proposed the late Sir Robert Peel, in lieu of it, placed a stamp duty and an increased duty on spirits in Ireland. Those duties were still kept on, and now the income tax was about to be extended to it. In 1853, the right hon. Gentleman, moreover, promised that, unless prevented by war, his plan would bring the income tax to a close in 1860; but now, instead of continuing the rate of reduction, the tax was to be nearly doubled, and very faint hopes indeed were held out of its abolition in 1860. The income tax was looked on with peculiar aversion in Ireland, as there was a feeling that it was to a great extent evaded and only paid by those who were possessed of fixed incomes. Under those circumstances he most thoroughly protested against the measure.

Mr. LEATHAM said, he was opposed to the income tax, as unjust and unequal in levy. It was unfair to tax the produce of a man's brains or hands at the same rate as permanent incomes derived from land or other permanent property. He was one of the sanguine minority of commercial men who hailed Mr. Gladstone's advent to power mainly because they thought he would carry out his own scheme and give the *coup de grace* to the income tax, but now they found it was about to be doubled. He could not say what other hon. Gentlemen representing commercial interests would do, or what hon. Gentlemen opposite would do, but for himself, as the representative of a commercial constituency, he could not aid or abet the Minister in what he could not but regard as an aggravated assault upon the commercial interests of the country.

Mr. W. WILLIAMS said he entirely approved of the course taken by the Chancellor of the Exchequer, as he thought the true principle was to meet the demands of the country by revenue, and not by loans. He heard hon. Members cry out against this tax. In his opinion it would be better if those hon. Members would assist in keeping down the extravagant expenditure which was day after day sanctioned by that House, and which caused the necessity for these taxes. He thought, however, some means ought to be taken to relieve the poor working man who, by extra labour, brought himself within the working of this system, from the burden of the tax.

Mr. CAVE said, there were many professional men who worked as hard as any labourers, and whose case ought also of be taken into consideration. In their cases he thought some means ought to be taken to relieve them from the oppressive effects of this taxation. The imposition of the income tax on persons whose incomes were below £150 just made the difference of an excursion with their families in the summer months, and kept them in town to the great detriment of their health.

Mr. BAXTER said, he thought the scheme of the right hon. Gentleman was a just and a sound one, and would be so received by the country at large. He should be sorry, however, if it were to have the effect of withdrawing public attention to what he regarded as a most extravagant expenditure for the army and navy, but which before next year he hoped to see revised and reduced. His object in rising, however, was to call the attention of the right hon. Gentleman to one tax which in its present form was, he thought, the least defensible of all taxes. He meant the duty on fire insurances. The ordinary duty was double the amount of the premium charged by the companies, and amounted to 200 per cent. Its operation was this. In 1857 the whole sum derivable from the tax on fire assurances was £1,500,000, which represented a property of £820,000,000, to which was to be added £70,000,000 of untaxed farm produce, making a total of £890,000,000 of property, which was insured against fire; but the actual value of property in this country, including every description, was £4,000,000,000, so that by the operation of the law not more than one fourth of the property of the country was insured against fire. In 1834, in consequence of the cry of agricultural distress, the duty was taken off farm produce; and ever since we had been conferring a boon of something like £100,000 upon that particular interest at the expense of the general community. He hoped that in the course of next Session the right hon. Gentleman would be prepared to put an end to that unfair and anomalous exemption. The result of the present system was that a considerable portion of insurances against fire was effected out of the country. Some time ago some French companies established agencies in London, and issued policies, and in 1856 an Act was passed to compel them to pay duty, which it was impossible to carry into effect, and its only result was to shut up half-a-dozen agency offices in London. The duty on marine insurances was formerly in the same condition, and was continued notwithstanding the remonstrances of mercantile men, but when it was found that the greatest proportion of the marine insurances of this country were carried abroad, and effected at Amsterdam, Bremen, and Hamburg, the Government took alarm and met the remonstrances of the merchants of this country by a reduction of the duty. He was aware of the difficulty in which the Chancellor of the Exchequer was placed, but he could not but urge this subject on his consideration.

MR. HORSMAN said, that the statement of the Chancellor of the Exchequer recommended itself to the Committee, not only by the general soundness of the principles which it enunciated, but by the clearness and directness with which they were enunciated. The position of the right hon. Gentleman was no doubt a difficult one. He had a deficiency of £4,000,000 to meet, and if he had considered the feeling against indirect taxation which prevailed in some parts of the House, and the objection to direct taxation which existed in others, this difficulty would have been an impossibility. On the whole, however, he did not think the Committee would quarrel with the temporary arrangement proposed. There was one point in the speech of the right hon. Gentleman to which he would take exception. As regarded current expenditure, and the necessity for meeting it by annual taxation, he thought there could be no difference of opinion. The military expenditure of the year was forced by public opinion upon the Government. There was a prevailing sense of insecurity, and of the necessity of providing for the safety of the country, which it was not possible for the Government to ignore. It was to the credit of the late Government that they had recognized that feeling, and it was still more to their credit that they had vigorously and promptly applied a remedy to the difficulty. The late Government had thus thrown a responsibility upon the present Ministers which the latter to-night showed no disposition to evade. What he wished to point out was this—all Governments concurred in the opinion that for ordinary expenditure ordinary income should be made to suffice, and that the resorting to loans for the purposes of peace finance was a false and objectionable principle. But the question was, whether the present expenditure was really a peace expenditure, and on this point there appeared an inconsistency in the speech of the right hon. Gentleman, for when speaking of the expenditure of the present year he told the Committee it was altogether exceptional, and that it was not calculated as for a time of peace, but under circumstances of a warlike character; and yet when he came to state his objections to a loan, he stated that the expenditure ought to be met by ordinary income, and by means such as were applicable to times of peace. There ought surely to be a distinct understanding whether this was a year of peace expenditure or not. The Chancellor of the Exchequer very properly said that you might have a war expenditure, although in reality it was a year of peace. Well, was not that the case this year? The Chancellor of the Exchequer told them that the increased expenditure was in reality for the augmentation of our defences. Then the question arose, were they to meet that expenditure in a hearty and effectual manner? For what was the object of our defences? It was to put the country in a state of security against attack. But did we achieve that object? We did not pretend to do so, nor anything like it. We spread the expenditure over so long a series of years, and added to our defences by instalments so slow and so gradual that while the real increase in our security was altogether imperceptible, the increase in our taxation was very onerous. For instance, the Estimates for the fortifications at Dover were very large, but the Vote that had recently been asked from the House was no more than a seventh part of those Estimates. The same was the case with our other principal fortifications, which were not to be completed for twenty years. What was the use of such expenditure? Would it secure us from attack? There was no disguising it—we were afraid of an attack from the other side of the Channel. But if such an attack was really to be apprehended, could we suppose that our Ally on the other side of the Channel, who was the cause of all this uneasiness and expense to us, would wait fifteen or twenty years, till we had completed our defences? Was that the way in which our Ally did his own business? He achieved his works at once, and so accelerated his works of defence lately in France that in two years he added more to his own power and security than at the present rate we should accomplish in fifty years for our own security. He did not do what the Committee was asked to do that night; he did not irritate his people by a *maximum* of taxation and a *minimum* of progress in the work. We were in this position—either there was no danger of attack from without, in which case we were doing a great deal too much; or there was a real danger, in which case we were doing a great deal too little. Everybody admitted that if France attacked us, she would attack us suddenly. In our present position we should be liable in the outset, in case of a sudden attack, to great disaster. Everybody said that this country ought to be adequately defended. But in order to put our home defences in a state of perfect efficiency and security, a sum of at least £10,000,000 would be required. In the present state of Europe, it was manifestly absurd to spread our works of defence over years, and it was unreasonable to expect that these works of defence should be paid for out of the ordinary annual income. There never was a period when a large immediate outlay was more required than at present for the protection of this country. He admitted that the Chancellor of the Exchequer had made a clear statement, but he protested against the mixed system of expenditure, neither a peace nor a war expenditure, which the Committee had been asked to sanction. He (Mr. Horsman) felt this so strongly that he had been disposed not to let another year pass without submitting a proposition to the House on the subject. So far as the present temporary Budget of the right hon. Gentleman was concerned, he was anxious to do everything to facilitate its progress, but he should be disposed on an early day to test the opinion of the House as to whether the present system of expenditure, which was a war expenditure, was to go on year after year, defrayed out of annual income, and the completion of the object sought to be obtained, spread over a series of years; so that when the day of disaster, which every dispassionately observing man was predicting, arrived, it should not be in the power of any Minister to say that it was the fault of Parliament, but that it should be seen that the fault lay with those who did not discharge their duty in foreseeing and providing against the calamity which menaced the country.

MR. JOSEPH EWART said, there was nothing so injurious to trade as financial tampering with the great necessaries of life, and he was glad that the right hon. Gentleman had looked more to direct than to indirect taxation in his financial arrangements. The only objection he had to the plan of the right hon. Gentleman was the mode in which the additional 4*d.* on the income tax was imposed, which he thought ought to have been done in a more equal form.

MR. ALDERMAN SALOMONS said, that they had to meet an expenditure which was neither a war nor a peace expenditure, and it was desirable that it should not be met in the manner in which people on the Continent did—that is, to go into the market and borrow any money when extraordinary expenditure was incurred. It was a feature in our system of government that we looked difficulties in the face, and resorted mainly to taxation to meet our expenditure. It was not possible for a Chancellor of the Exchequer to have brought forward a budget more clear and straightforward, or one more likely to be popular, with one exception, and that was with regard to the manner in which the imposition of the 4*d.* addition to the income tax was arranged, which he thought could be simplified by dividing it more equitably.

MR. HADFIELD said, he regretted that while the facility of bonded warehouses was furnished to a number of small places where the revenue levied was very inconsiderable, the same kind of facility was not granted to other places of far greater importance in the commercial world, and for the purposes of revenue.

MR. CRAWFORD said, that representing as he did a great commercial constituency, he must express his hearty approval of the statement of the right hon. Gentleman. He would, however, urge on the right hon. Gentleman the propriety of not making us pay this amount of income tax all at once. He would also ask him to bestow his attention, during the recess, upon a further revision of the tariff. A statement of the net annual produce of the customs of the United Kingdom showed that out of the £23,000,000 raised in that way, no more than £7,000 was contributed by sixty-seven different articles, some of which were of the most insignificant and contemptible character, and some paying no more than £1 per annum. The right hon. Gentleman would render a great service to the commercial world if he would strike those petty and odious duties out of the tariff, and the mere reduction of the expenses of the Custom House would repay the trifling difference in the receipts.

MR. SELWYN said, he thought it a hardship that the income tax should be of the same amount upon commercial men or tradesmen and upon the owners of property. He would also suggest to the right hon. Gentleman that consistently with his own views he might do something to remove an anomaly and inconsistency from the Statute-book—he alluded to the probate duty, which, although it commenced at a low sum and went on by successive steps, when it got to a million went no further, If a man died worth £100 it was taxed, but if he left millions, the second million did not pay any probate duty. Although such cases did not often occur, still we had lately heard of persons dying who were said to have been worth four or five millions, in which instances the first million was taxed, and the rest of the property altogether escaped. Now could not this be altered with benefit to the revenue of the country, and in a spirit of justice to the poorer classes more especially?

MR. M'CANN said, he was very much gratified to hear the Chancellor of the Exchequer enunciate the principle that "we should pay our way as we go." Whether with peace or war establishments, nothing was so conducive to economy. He and his constituents, and, indeed the whole manufacturing and working classes of Ireland, approved of direct as contradistinguished from indirect taxation.

MR. BASS said, he did not wish the income tax to be removed altogether, as he thought it preferable to direct taxation. Nor did he make any complaint with regard to the proposed alteration as to the collection of the malt tax, but he thought objections would be urged on behalf of small malsters or malsters of inferior barley. Thirteen months' credit was given to the hop-growers, and often six and twelve months in addition. He supposed the answer he should receive would be that they could not pay at the end of thirteen months, but might not the extraordinary credit which was sometimes given be one cause?

THE CHANCELLOR OF THE EXCHEQUER said, that his first duty was to thank the Committee for the general spirit of kindness and the favourable impressions with which his proposals had been received. Nothing could be more gratifying, and for his part it would be exceedingly agreeable to meet any wish which was expressed by any number of Gentlemen in that House. With respect to the question of the payment of the 4*d.*, he hoped hon. Members would use a great deal of caution before they committed themselves, as the real question came to this, whether they should so raise the money within the year or not. He would only notice one or two points of detail. With regard to the hop duties, it would be inopportune to meddle with it at that moment, as the question of the credit to be allowed was not of any financial importance. The right hon. Gentleman (Mr. Horsman) had entered upon questions of great importance, which could hardly be discussed at that moment, and would be more appropriately brought forward in Committee of Supply than in Committee of Ways and Means; but he (the Chancellor of the Exchequer) entirely agreed that it was a bad and improvident system to distribute charges for permanent works over a great number of years. He would remind the House, as the hon. Member for Devonport must remember, that the first act of the Government which came into office in 1853, was to make the Votes towards the erection of the new Houses of Parliament as large as possible, in order to accelerate the work. He would not enter largely into the subject of bonded warehouses, which had been raised by the hon. Member for Sheffield (Mr. Hadfield). It was a subject which had quite a literature and history of its own, and which would afford matter for many nights' discussion. The Government had always felt it to be desirable to extend such privileges and facilities to consumers, whenever it could be done with safety to the revenue. As for the tax on fire insurance he wished it were in his power to entertain any idea so agreeable as that of a reduction of the fire insurance duty, but it was absolutely requisite as a preliminary to any such reduction that there should be a fund in hand with which to deal; then indeed, there were many beneficial changes and great reforms in our commercial and fiscal system which might be proceeded with, so as to remove the most serious blots from our Statute-book. The hon. Member for the City of London (Mr. Crawford) had directed his attention to the desirableness of striking out some of the minor articles in the tariff. Three times in his public life, namely, in 1842, in 1845, and 1853, he (Mr. Gladstone) had attempted to deal with that subject, and he could assure the hon. Member that he stood in need of no spurring to make him resume that course; but some margin was requisite even for that. The hon. Member for Stamford (Sir Stafford Northcote) had referred to the state of the law with regard to the tea and sugar duties. He was right in saying that they expired altogether on the 1st of April next. Of course the commercial world understood that this was only a legal expiration, and that a considerable duty must continue to be levied on tea and sugar after that date. He felt it was extremely embarrassing that the duties should expire at that time, and he did not know whether it would be more convenient to the commercial world to proceed now to make a law on the subject, when they could not tell exactly what the necessities of the next year would be, or to wait until February next. He wished to be guided by the feeling of that intelligent class of persons who were directly interested in the matter, and he would pursue the course most likely to avoid causing any disturbance to their important operations. He would now move that the Chairman report progress and ask leave to sit again on Thursday.

Mr. ROEBUCK said, he wished to say a word with regard to the class to which he belonged in relation to the injustice of the income tax. He would take the case of a man with £1,000 a year from land, and that of a man with £1,000 a year from professional exertions, and both of them at the age of forty. The time came —and he spoke feelingly on that subject—when, perhaps, the professional man was struck with paralysis. There was an end put at once to this man's income, but the Chancellor of the Exchequer taxed them both alike. He (Mr. Roebuck) was quite prepared to spare the working classes; but among the working classes was the very one to which he belonged. The professional man was well educated and sensitive; he contributed largely to the comfort, the pleasure, and the benefit of mankind. All the good that had resulted to the world had resulted from that class of men, but still there was not much consideration shown for them. To call on a man who derived an income solely from his brain to pay at the same rate as one whose income resulted from land was to inflict a gross injustice on the man who lived by his brain; and the Chancellor of the Exchequer was guilty of cowardice in not daring to do the professional class justice in that respect.

House resumed.

Resolution to be reported *To-morrow.*

SUPPLY.—REPORT.

Mr. MASSEY brought up the Report of the Committee of Supply.

On the Vote for defraying the salaries and expenses in the Office of Woods, Forests, and Land Revenues, amounting, together with £10,000 voted on account last Session, to £23,514,

Mr. AUGUSTUS SMITH said, he wished to draw attention to the expenditure of that department of the Woods and Forests. This was the only department in the public service which had the power to lay out large sums of money without the previous sanction of that House. The gross revenue that passed into the hands of the authorities of the department was about £400,000 a year, and they expended between £80,000 and £90,000 annually on a variety of works for which they had no sanction whatever from Parliament. That was a state of things so unsatisfactory that he was in hopes Government would have dealt with this Department as they had with every other, and demanded that it should submit an estimate of its expenditure to Parliament from time to time. He would therefore suggest that this Vote should not be confirmed till a full statement of their expenditure was laid on the table by the Woods and Forests.

MR. CAIRD said, he had called the attention of the House to this subject last year, but he did not receive such encouragement as to induce him to do so again this Session. As the question had been taken up by another hon. Member, however, he wished to point out that this Vote did not include anything like the whole expenditure of the department. There was a double office, in which the expenditure was contracted. The Commissioners were paid salaries for the work they did, but they committed the details to a surveyor, at a salary almost equal to that of a Cabinet Minister.

MR. WILSON said, the Vote before the House was simply for the official establishment and nothing else. It had nothing to do with the management of the Crown property. The Committee on Public Moneys last year considered the question whether the revenues of this Department could not be brought under the supervision of Parliament like other descriptions of revenue; but they came to the conclusion that under the arrangement existing between Parliament and the Crown it could not be done. The next best thing was done, however. An annual statement of the income and expenditure of the Woods and Forests was annually laid before Parliament.

MR. W. WILLIAMS said, he must reiterate the complaint which he had made on Friday night that sufficient time had not been granted to the House to examine the Civil Service Estimates. No less than fifty-seven Votes, embracing a sum of £3,000,000, were passed without almost a comment, notwithstanding a declaration made at the outset of the debate that not a single Member had been able to make himself acquainted with the details of those Estimates. Such a course, if persevered in, must tend, he thought, to destroy confidence in the noble Lord at the head of the Government, and to lead to a repetition of the unpleasant consequences which the noble Lord had already experienced. He wanted to know why the salaries which were to be covered by the present Vote were not paid like others out of the estates of the Crown. He believed that those estates, if properly managed, would be equal to any demands that could legitimately be made upon them, and thereby relieve the general taxation of the country to a proportionate extent. They would be amply sufficient to defray the £385,000 paid annually to Her Majesty out of the Civil List.

COLONEL SYKES said, if the salary of the surveyor was equal to the amount which had been mentioned, it was a great waste of the public money.

Resolutions *agreed to.*

SUPPLY.

On the Motion that the House go into Committee of Supply,

LONDON CORPORATION REFORM BILL.

QUESTION.

MR. AYRTON said, that the hon. Member for Westminster (Sir John Shelley), and other hon. Members, as well as himself, felt they had been very hardly treated by the noble Lord at the head of the Government in respect of the London Corporation Bill. When the late Government went out of office they left in certain departments the draughts of Bills that had not arrived at maturity. The Secretary of State for the Home Department, however, fastened upon these Bills like a Zouave, and evidently thinking that every draught left by his predecessor was fair political plunder, and might be turned into political capital, he laid his hand on them and submitted them to the House. The present Government, however, had proposed a Motion of want of confidence in the late Government in which he had concurred, and he could not therefore help expressing his astonishment that no sooner had the Government come into office than they appropriated all the measures of the late Administration, without considering the principles on which they had come into office. He should not have complained if the Bill, for the Reform of the Corporation then before the House, had been brought in by the late Home Secretary. It would have been in accordance with the views entertained by hon. Gentlemen on the other side, but it was a marvel to him that the present Government should adopt such a measure. Yet the Government persisted in having it debated in the middle of July, and in forcing it through the House. Great numbers of hon. Members on his side of the House felt it to be a grievance that this Bill should be taken at twelve o'clock on Friday morning. They were invited to attend on Thursday to discuss the Budget, and was it to be supposed that after such a debate they would be prepared at noon the next day to consider a measure of the deepest political importance? Yet, after discussing this Bill until four o'clock on Friday, hon. Members were expected to come down again at six o'clock and resume the consideration of the Budget. Were hon. Members on the Liberal side to be subject to such coercion to gratify the morbid desire of the Home Secretary to adopt the Bills of the late Government, which were not in accordance with the political opinions of hon. Members sitting on the Ministerial benches? He protested against this mode of proceeding. He appealed to the noble Lord at the head of the Government not to proceed with the measure in this fashion, and not to rely upon the support of the Conservative party, while pretending to be at the head of the Liberal party. The noble Lord had, he believed, received assurances from the other side of their willingness to help him in carrying this Bill. But let the Bill be fairly discussed, and not burked at twelve o'clock in the morning.

VISCOUNT PALMERSTON said, that of course the hon. Gentleman was free to have an opinion on the Bill which his right hon. Friend had brought forward, and when it came under discussion he would have an opportunity of stating fully the reasons why he thought it a Bill which the House ought not to adopt. But it was rather remarkable that the hon. Gentleman should object to the Bill being discussed at a morning sitting, because when the House acquiesced in giving a morning sitting to a Bill it was understood that hon. Members came to the discussion less fatigued than they were at a late hour of the evening. If the hon. Gentleman had any objection to the day, and would state it when his right hon. Friend was present, no doubt his right hon. Friend would consider whether the day were essential, and whether some other day could be conveniently selected. He must say that the hon. Member for Lambeth (Mr. W. Williams's) charge, that he had the other evening exercised some constraint on the House in order to make it go on with the Estimates, was most unjust and unfounded. On that matter the House exercised its own opinion, and divided, and a very large majority concurred in the propriety of proceeding with the Estimates. If the decision of the House had been the other way, he should have submitted to it; and, indeed, the hon. Member for Lambeth submitted, though not in a very gracious manner, for he immediately put on his hat and left the House, which was as much as to say that he would not be a party to any of the proceedings.

MR. W. WILLIAMS said, he was not opposed to morning sittings, but he objected to meeting at twelve o'clock in the day, and then continuing to sit until two o'clock in the morning. The Corporation Reform Bill was a most important measure, and ought to be brought forward early in the evening; for in the daytime many hon. Members were engaged on Committees.

LORD FERMOY said, that on general principles he was in favour of morning sittings, but as this Bill was likely to meet with great opposition, he did not think that there was the slightest chance of its passing during the present Session, and, therefore, he would suggest that it should be postponed till next Session.

MR. KINNAIRD observed, that there existed great anxiety on the subject of the reform of the corporation, and he did not think that the Liberal party should object to the discussion of the subject. If the measure could not be passed in the present Session, still its discussion would facilitate its passing in the next as any measure of the kind must be first thoroughly ventilated.

MR. EDWIN JAMES said, it was impossible there could this year be a fair discussion of the principles of this Bill. On the face of it the measure was utterly at variance with the Report of the Commissioners, of whom the right hon. Baronet the Home Secretary was one. It left untouched several important abuses, such as the metage and wharfage; it disfranchised 10,000 of the livery at one swoop who had had no opportunity of discussing the question; and he feared there would be no sufficient attendance of hon. Members at a morning sitting to debate the Bill in the way it deserved.

MR. HADFIELD said, he hoped that some special time would be fixed for the Education Vote, and that it would not be proceeded with that night.

MR. AUGUSTUS SMITH said, he wished to make one or two remarks in reference to what the right hon. Member for Devonport (Mr. Wilson) had said respecting the management of the Crown property. That was a branch of the Administration which ought to be watched with the utmost vigilance. He complained that the Government took out of the revenue what ought to be paid out of the capital of the Woods and Forests.

Lord JOHN MANNERS said, he rose to order. The Vote to which the hon. Member was referring had been passed.

Mr. SPEAKER said, that the hon. Member was not in order in replying to anything said in a debate on a Vote that had been passed.

Mr. AUGUSTUS SMITH said, he would not reply to anything said in the debate, but would call attention to one or two points. The whole revenue of the Crown property amounted to £411,000. The expenditure of the Commissioners was £88,000; and the result was that the country was deprived of an amount of revenue which ought to go out of the Exchequer. There ought to be an annual statement laid on the table of the estimated expenditure by the Commissioners. He should on a future occasion take the sense of the House on that point.

Motion *agreed to.*

House in Committee: Mr. Massey in the Chair.

(In the Committee.)

SUPPLY.—CIVIL SERVICE ESTIMATES.

(1.) £78,847, Royal Parks, Pleasure Grounds, &c.

Sir JOSEPH PAXTON said, he would take that occasion to observe that a very large increase in the Estimates for the purposes of this Vote had taken place since 1852—a fact which he regarded as open to objection. In 1852, the year after the Great Exhibition, when the Parks were in a somewhat disordered state, the Vote was £60,546. From that period there had been a constant increase. In seven years it had increased from £60,546 to £123,000 or more than double. The principal items in that increase were the sums voted for Kew Gardens and Hyde Park, and, while he was one of the last persons who should object to such places being kept up in a becoming manner, he must complain of the peculiar objects for which the expenditure had been incurred. Kew Gardens, for instance, which up to 1852 had been devoted to botanical purposes, had since that period been transferred into a popular flower garden. They had been told when Lord Llanover was at the head of the Board of Works that Sir W. J. Hooker had suggested great improvements in these Gardens. The noble Lord had enlarged the boundaries of the Gardens, and sanctioned the making of flower-beds to an extent that greatly increased the expenditure. According to Sir W. J. Hooker's report, there were now 400 flower-beds requiring 40,000 plants annually to supply them. He thought it unwise to convert these grounds into a gaudy flower garden. In 1854 the Crystal Palace had been established on a commercial principle. It was the first time such an undertaking had been carried out either in this or in any other country, and he did not see why Kew Gardens should be changed from their original object in order to compete with the Crystal Palace as a flower garden. It ought to be recollected that the Crystal Palace was not allowed to be opened on Sundays, and the Kew Gardens were opened on that day. He admitted that the management of the Gardens did great credit to Sir W. J. Hooker. The new museum, erected in 1856, was, however, unworthy the architecture of this country. Though it overlooked the beautiful garden, it resembled a third-rate lodging-house more than that which it purported to be. There was a large item—£30,000—asked to be voted for the purpose of building a new conservatory, with a view of observing the growth of a large number of plants which had been introduced into this country by Sir Joseph Bankes; but, while he was not prepared to deny that such a building was necessary, he thought it might be erected at a much less cost than that at which it was estimated. His own experience led him to the conclusion that an acre of ground might very well be covered with glass for the sum of £10,000, and he therefore was of opinion that half the amount which was asked for would be amply sufficient for the accomplishment of the object which it was sought to attain. With respect to Hyde Park he found that there was a proposal of Mr. Page's to spend £30,000 in making certain alterations in the Serpentine; but, while he was ready to admit that that piece of water stood in need of improvement, he must object to the construction of an island within it, inasmuch as it would, in his opinion, altogether destroy the grandeur of the effect. He might also remark that very considerable expense had been incurred in what he might term gardenizing Hyde Park. For his own part he objected to such a process, inasmuch as he was of opinion that a number of beautiful trees and a green turf was the proper aspect for a park to assume. Although he was willing to admit that for some of the improvements the noble Lord opposite deserved credit, yet he thought that if one half of the sum expended in what was called improving the Park had been spent in laying down turf between the drive and outside railing, they would have had a beautiful grass plot something like that in Berkeley Square, which was so much admired by every one, and which ought to be a pattern for all such works. In St. James's Park a great improvement had been made by cleansing the water, but the bridge was an eye-sore, and he thought a carriage-drive would have been much better. The present state of the communication through this Park was very unsatisfactory. You were now forced to skulk along as though you had no business there; but, surely, if there was to be a passage through at all, it ought to be a proper one. Some very large additional accommodation must certainly be given. In a short time there would be a railway station at the end of Victoria Street, within 300 yards of Buckingham Palace, communicating with Dover, Brighton, Portsmouth, and all the suburbs on the south side of the Thames, and it was obvious that to this station there must be additional communications. He believed, therefore, that they would be obliged to adopt the suggestion which had been made some years ago, and cross the Park by means of a road and bridge to Victoria Street direct, with a branch to Buckingham Palace and another to the Houses of Parliament. He also thought that the road which had been proposed, from the Duke of York's column to Great George Street, with an approach to Trafalgar Square, would be a great boon. A communication through Hyde Park was also wanted; and he thought that one might be made from the Westbourne Terrace district to Kensington and Brompton without producing an eye-sore or interfering with the beautiful old Kensington Gardens. With regard to Battersea Park, he had to complain of the design, which was on a too small scale, and he thought that in a few years it would be all grown over with plantations. The same mistake had been made in Victoria Park. When these Parks were in course of construction, the planting was carried on under the direction of men who did not know the names of a half-dozen kinds of trees and shrubs they were planting. On one or two occasions he had visited Battersea Park and seen the foreman, who knew nothing whatever of the subject. At present, however, there was an intelligent gardener there who would no doubt soon bring it into admirable order. Our public Parks ought to be the pride of the country and the metropolis; but they were certainly not so in their present condition. He hoped, therefore, that the Chief Commissioners of Works would take proper advice, and place such persons only in the management of the Parks as were properly qualified for the office. It was but a few years ago that a naval captain had the charge of Victoria Park, and he was succeeded by a broken-down contractor. All this was very discreditable. Although he did not intend to propose any reduction of the Vote, he gave notice that if there was no alteration in the present system, he would go into detail upon the subject next year. Meanwhile he would gladly give his advice to the right hon. Gentleman in respect to any improvements that might be contemplated.

LORD JOHN MANNERS said, that no one had a greater right to speak on this question than his hon. Friend who had just addressed the Committee; but although his hon. Friend began by complaining of the increased expenditure on the metropolitan Parks, he had ended by proposing schemes which, if sanctioned, would involve an expenditure of at least £100,000. [Sir J. PAXTON. Not annually.] No; not annually, but in the first instance. For two of the items to which his hon. Friend had directed their attention, he (Lord J. Manners) was responsible—the purification of the Serpentine and the proposed new conservatory at Kew. These two improvements had been repeatedly urged upon First Commissioners, and last year when the work of cleansing the Thames was handed over by the Legislature to the Metropolitan Board, he felt that the Serpentine could not be allowed to remain in a state little less disgraceful. During the recess, therefore, a scheme was drawn up by Mr. Page, who recommended it as a permanent improvement. His hon. Friend (Sir J. Paxton) took an objection to the island in an artistic point of view. That was a question of taste; but at any rate, if that feature were abandoned, it would not tend to diminish the expenditure; because in that case the mud instead of being employed to form the island would have to be removed further away at an increased cost. The matter was one of detail, and did not interfere with the larger scheme of purifying this noxious stream. With respect to his hon. Friend's comments respecting Kew, he fancied that most hon. Gentlemen in the House would be extremely vexed if, in consequence of his hon. Friend's recommendation, the flower-beds which had received so much attention were to be removed, and he was certain that where one person was interested in the botanical specimens, 100 were attracted by the flowers. With regard to the conservatory, his hon. Friend agreed as to the necessity of such a building, but objected to the expense. He could only say that he had placed the work in the hands of Mr. Decimus Burton, who had had considerable experience in that class of work, and who had been the architect of the Palm House at Kew, which was so generally admired. With regard to Battersea and Victoria Parks, at present they were under the management of men who were perfectly competent to discharge the duties which devolved upon them, and every way anxious to promote the interests of the public. Upon the question of the general increase of expenditure upon the metropolitan Parks, he had nothing to say against the statement of his hon. Friend. It was a notorious fact that the expenditure had increased. The estimate was a very large one, and it was impossible that it should be otherwise, because year after year greater numbers of people frequented those Parks ; far more public attention was directed to them ; hardly a day elapsed without some recommendation to increase their beauty, or the enjoyment of the people in them, and he was quite satisfied that no one could fill the situation which he had lately held without feeling an anxious desire to promote, as far as possible, the comfort, the convenience, and the recreation, of the toiling masses of this metropolis, for whose benefit, after all, these Parks were chiefly maintained.

MR. W. WILLIAMS said, he thought the expenditure upon the Parks was absolutely monstrous. He found in the Estimate an item of £7,747 for the Regent's Park, and he could not imagine how such expense could be incurred. The Park was, he believed, in as good a condition as it possibly could be, and the only thing by which it was disfigured was a building lately erected for the sale of gingerbread and lollypops. The objectionable state of the Serpentine was, he believed, entirely attributable to the fact that the sewers were allowed to run into that river.

MR. W. EWART said, that if this sum was withdrawn it would occasion great inconvenience to the public. He thought the state of the ornamental waters in the Parks was well deserving the attention of his right hon. Friend. The ponds were often the receptacle of every description of rubbish. The consumption of iron for the construction of railings was something enormous and unnecessary. He also wished to call attention to the circumstance that three acres of land had been taken from Hyde Park for the feeding of cattle, which he thought ought to be restored to the public. He further had to complain of the injury caused to the Park by the abstraction of gravel for the formation of walks, and filling up the holes with rubbish.

MR. COGAN said the convenience of hon. Members of that House would be greatly promoted if their carriages were allowed to pass by Constitution Hill, along the Mall, and through the Horse Guards. If there was any objection to a passage through the Horse Guards they might at all events, without inconvenience, be allowed to pass into Parliament Street through Storey's Gate.

MR. DARBY GRIFFITH said, he stood aghast at hearing that it was intended to make an island in the Serpentine. He thought there were islands enough in the other parks, and that it was most desirable that the natural beauty of Hyde Park should not be destroyed.

MR. FITZROY said, it was true that the Vote for the Parks was increasing from year to year in consequence of the additional means which were taken to promote the comfort and enjoyment of the industrious classes who resorted to them. The establishment of the Battersea and Victoria Parks had, he believed, been attended with special advantages to the working classes of the metropolis. He found, from a Return he had received, that on one Sunday, about a fortnight ago, 118,000 persons entered the Victoria Park, and 12,000 persons bathed in the lake in that park before eight o'clock the same morning. Some complaints had been made of the superintendents of Victoria and Hyde Parks, but he believed those complaints were not justified by facts, and that those individuals performed their duties in a most satisfactory manner. It was difficult to meet the views of all hon. Members upon these points. One hon. Gentleman had said he should like to see the Parks a vast expanse of verdure, like Berkeley Square. No doubt all would wish that, but another hon. Member immediately afterwards complained of the iron railings which were placed in different parts of the Parks. If those railings were not there, people would naturally walk upon the turf, and in a very short time all appearance of grass would disappear. With respect to the purification of the Serpentine, there was no Vote in the Estimates because upon acceding to office he found his predecessor had given his assent to a plan proposed by Mr. Page, to which he (Mr. Fitzroy) could not give his assent at present. That plan appeared to him to be open to serious objections, and therefore he had not thought it respectful to submit any Vote to the Committee until he was prepared to submit a scheme which he thought a satisfactory one, but he hoped at a future time, upon Vote 7, to be able to lay before the Committee a Vote upon that subject. There were several objections to the plan proposed, especially as to levelling the bottom and running off the water, for there was a doubt whether it would be easy to refill it. He had several other plans under consideration, and hoped soon to come to some decision upon the point. As to the digging of gravel which had been complained of, it was a system that had gone on for many years, and any alteration must involve the expenditure of a large sum of money. With respect to the expenditure upon the Regent's Park, there had no doubt been an increase, but it had all tended to the comfort of the labouring classes. One item was for the formation of a cricket-ground at Primrose Hill, which all would admit to be a most praiseworthy outlay of public money. With respect to the increase on other items of this Vote the noble Lord (Lord J. Manners) had so satisfactorily explained the causes that he felt he should not be justified in trespassing any longer on the time of the Committee.

Mr. KINNAIRD said, his right hon. Friend had observed a discreet silence with respect to the question of the hon. Member for Kildare (Mr. Cogan) why Members were not permitted to pass down Constitution Hill. The question really was whether the Parks were for the benefit of the people or not, and he should like to know who paid the two policemen who kept Her Majesty's subjects from passing through the Parks. There was also the question of the hon. Member for Coventry (Sir Joseph Paxton) as to the proposed expenditure on Kew Gardens. A sum of £25,840 was asked for the erection of a magnificent glass structure. The hon. Member for Coventry, who knew more about glass structures than any one, said that a better one could be erected for £10,000. The hon. Member had also said that there were 40,000 geraniums being potted at the expense of the public, and now it was proposed to add 200 acres to the gardens. He thought that the present extent of Kew Gardens was adequate to the public requirements, and therefore he should take the sense of the Committee upon the Vote. With respect to the Serpentine, in the report of Mr. Page, which was referred to in the Vote, there was a sum of £39,000 set out, with a recommendation that an island should be formed, to be approached either by a rustic bridge or by boats, for bathers who preferred to undress in greater privacy, and against such an expenditure he should feel it his duty to protest.

Lord JOHN BROWNE said, he hoped that the Vote for Kew Gardens would be agreed to. He could speak as to the necessity of providing shelter for delicate plants, which were now perishing for want of it. The number of persons who visited these gardens last year was 420,000; or only 100,000 fewer than visited the British Museum in the same period. There was no better object on which money could be laid out than in beautifying these gardens.

Mr. FITZROY said, that when hon. Gentlemen asked for whose benefit the conservatory at Kew was intended they did not seem to know that nearly half a million of persons, mostly of the working classes, visited these gardens annually. Indeed, the number of people who frequented them had increased in a wonderful ratio since the first year they were thrown open to the public, when the visitors were only 9,174. Many thousands of the humbler orders went there every Sunday, and enjoyed themselves in a quiet, happy, and respectable manner. He was therefore surprised to hear this Vote objected to. The potting of 40,000 geraniums had been talked of; but he would certainly do all in his power to increase the beauty of these gardens, which were a source of so much pleasure to all classes of the people. He was not aware that the hon. Member for Kildare (Mr. Cogan) had intended to put a direct question to him.

Sir JOSEPH PAXTON remarked, that he had not said one word with regard to the superintendents of Victoria and Hyde

Parks, further than that a naval captain had been appointed to the situation, and that a broken-down contractor had it now. What he complained of was that all ministers the moment they got into the office of his right hon. Friend took it into their heads that they could give directions on these subjects. He hoped his right hon. Friend would not take this as personal, because it was not so meant. Every man in the country would wish to see Kew kept up; it ought to be kept up as a beautiful garden, but it ought not to be decorated at the public expense so as to compete with places which were established on commercial principles. What would be said if the State were to subsidize Mr. Lumley for the purpose of enabling him to compete with Mr. Gye.

MR. ALDERMAN SALOMONS said, he thought the hon. Member for Coventry was carrying the commercial principle too far. They had spent a great deal of money which was necessary for the public defences, and they ought not to grudge a little more for the recreation of the people. No one could see the crowd that flocked there on a Sunday evening, so clean and orderly, without seeing what a source of healthful recreation they were to the working classes.

VISCOUNT PALMERSTON said, these gardens were intended for the amusement of the public, and it was very fair that they should contribute to the amusement of that House. Nobody, therefore, ought to blame his hon. Friends for disporting on this Vote, because it was the annual occasion on which persons in that House derived pleasure from the same source as the population out of doors who frequented these parks and gardens. But when their amusement was over the people went quietly home; and he hoped his hon. Friends would not end their harmless recreation by disturbing the proceedings of that evening, and causing hon. Members to take a walk into the lobbies for which they might not be inclined. Speaking seriously, nobody in that House could object to an expenditure calculated to afford so much health and enjoyment to the poorer classes. No one could frequent the public Parks on a fine evening without seeing multitudes of people recreating themselves in those open spaces. The hon. Member for Coventry wished to treat this question as one of mercantile competition, and would fain preclude the House from spending any money in affording the means of enjoyment to the public. Surely there could be nothing more legitimate than for the House to provide for the people in this respect what they could not provide for themselves. He might return the advice of the hon. Member for Coventry, and recommend him to make gardens that were conducted on the commercial principle more and more attractive; but if with all their attractions he could not lead the public there he had no right to complain that his right hon. Friend's efforts were more successful in regard to these Parks.

MR. EDWIN JAMES said, that Kew Gardens were the only legitimate place of recreation accessible on Sunday to the mechanic of Whitechapel and Spitalfields; and if there were not a quantity of geraniums and other attractive flowers to relieve the monotony of a dull botanical collection the working man would naturally say, "What is all this compared to the Crystal Palace?" The island in the Serpentine at Kew, about which an hon. Member had been so facetious, was merely *in nubibus.*

MR. KINNAIRD said, he would not trouble the Committee to take the walk into the lobbies which the noble Lord had indicated.

Vote *agreed to,* as were also the following Votes:—

(2.) £2,342, Salaries of the Lord Advocate and Solicitor General, Scotland.

(3.) £12,075, Court of Session, Scotland.

(4.) £6,811, Court of Justiciary, Scotland.

(5.) £5,550, Criminal Prosecutions.

(6.) £620, Legal Branch of the Exchequer, Scotland.

(7.) £50,000, Sheriffs and Stewards, Scotland.

(8.) £7,955, Salaries, Procurators Fiscal, Scotland.

(9.) £5,120, Sheriff Clerks, Scotland.

(10.) £2,300, Solicitor of the Crown, &c., Scotland.

(11.) £10,847, General Register House, Edinburgh.

(12.) £544, Commissary Clerk, Edinburgh.

(13.) £1,032, Accountant in Bankruptcy, Scotland.

(14.) £51,630, Criminal Prosecutions and Law Charges, Ireland.

(15.) £1,671, Court of Chancery, Ireland.

(16.) £1,408, Court of Queen's Bench, Ireland.

(17.) £1,211, Court of Common Pleas, Ireland.

(18.) £10,370, Court of Exchequer, Ireland.

(19.) £200, Clerk to the Taxing Officers for the Three Law Courts.

(20.) £3,933, Registrars to the Judges and Registrars of Nisi Prius, Ireland.

(21.) £1,368, Registration of Judgments, Ireland.

(22.) £300, Fees to Advocates.

(23.) £4,282, Conrt of Bankruptcy and Insolvency, Ireland.

(24.) £4,105, Court of Probate, Ireland.

(25.) £4,211, Landed Estates Courts, Ireland.

MR. DARBY GRIFFITH said, he wished to ask for some explanation of this Vote. He thought that this Court was not based on right principles in regard to the means by which the payments of its expenses were met.

MR. CARDWELL said, that this Vote was to carry into effect an Act of Parliament passed last Session, when these principles were much discussed in the House. The Committee would not reverse the decision then solemnly come to upon a mere Vote of this kind.

MR. WILLIAMS said, he believed that the principle was bad; suitors availing themselves of this Court ought to pay the expense of supporting it. This he considered a just principle. He thought that this Vote ought not to be required.

MR. WHITESIDE said, that for some time this Court cost the country from £17,000 or £18,000 to £20,000; but at present the nation was put to no expense on its account.

SIR EDWARD GROGAN thought the Committee ought to know what sum had been received by the Court in fees. Unless that were known, the Committee could not know whether or not this Vote ought to cease.

MR. CARDWELL said, he had no objection to a return being laid on the table of the sums received.

MR. WISE said, that there was evidently something very wrong about this Vote. If the hon. Member (Sir E. Grogan) would divide the Committee, he would go into the lobby with him.

MR. LAING said, that the reason why the amount of the fees or poundage was not stated in the Estimate was the short ime the Court had been in existence.

MR. DARBY GRIFFITH thought that the information asked for ought to be given before this Vote was passed. He should therefore move, that the Vote be postponed.

MR. VANCE said, he thought that the per centage system acted very unfairly. He thought that, if anything, the small estates ought to pay the most, as they gave precisely the same trouble as the large ones.

LORD FERMOY said, he wished to ask what arrangement was made with the Bank of Ireland as to the sums received from suitors in this Court? He did not ask for the actual figures.

MR. CARDWELL said, that the arrangement was made by the Treasury, and he did not know precisely what it was.

SIR EDWARD GROGAN said, that the Committee were asked to pass a Vote with no information whatever. Would the right hon. Gentleman undertake to give information to the House?

MR. CARDWELL said, he would have no objection to furnish the information required.

Vote *agreed to.*

MR. DARBY GRIFFITH said, that he had moved the postponement of the Vote.

THE CHAIRMAN said, that such a Motion could not be made. The Vote must be either negatived or withdrawn.

The following Votes were *agreed to:—*

(26.) £450, Revising Barristers, Dublin.

(27.) £300, Clerk to the Court of Errors, Ireland.

(28.) £1,100, Police Justices, Dublin Metropolis.

(29.) £31,378, Metropolitan Police, Dublin.

(30.) £450,768 Constabulary Force, Ireland.

VISCOUNT DUNCAN said, he hoped that some explanation would be given of this Vote, on which a large increase had taken place annually since its establishment. It was admitted that tranquillity and prosperity were increasing in Ireland; why then was it necessary to maintain there a larger police force than usual?

LORD NAAS said, the reason of the increase was, that as the force had increased, the pension list had necessarily increased also, and additions had been required for good-service pay and for meritorious services, such as was customary in all forces. The force itself, however, by a recent Act, had been considerably reduced, and the quota to each county was now much smaller than it was.

MR. LAING said, that part of the increase of the Vote was due to the issue of new firearms. Those which were served out sixteen years ago were of an old pattern, and so worn out as to be dangerous to use in ball practice. There was also an increase from the allowance of additional pay to the officers after a certain number of years' service. It must be remembered, that since the abolition of the Irish revenue police the constabulary had done the duty, and they were, to a certain extent, a military force.

COLONEL DUNNE said, it was understood for some years that the police force of Ireland was a kind of army of occupation. As they were talking of strengthening the defences of the country everywhere, he did not think it would be wise to lessen the amount of that force, which was the only kind of defence left in Ireland. Whilst hon. Members objected to this payment of the Irish constabulary, he thought he had a right to protest against the enormous sums that were demanded for the Parks and other places of recreation in this metropolis.

MR. HENNESSY thought the police force of Ireland most inadequately paid.

MR. MONSELL said, he would advise the withdrawal of the firearms from the hands of the police, and substituting for them good batons. The late unfortunate affair in Limerick was occasioned by those firearms being left in the hands of the police.

MR. W. WILLIAMS said, these men had barracks and uniform, and other perquisites, and therefore they were not underpaid.

LORD WILLIAM GRAHAM asked what firearms had been issued?

MR. LAING said, a description of rifle carbine.

MR. M'MAHON said, he wished to call the attention of the Secretary for Ireland to the fact, that the rank and file of the constabulary in Ireland were much discontented with their pay. To his knowledge numbers of the constabulary in Cork had gone to Canada, to the United States, and to Australia, in order to better their condition.

LORD NAAS pointed out that the condition of the constables and sub-constables had been improved by allowing them good-conduct pay after a certain period of service, which was not the case with the officers until recently. He agreed that the pay was small, but they could get an excellent class of recruits, and he did not think it possible the Government could hold out the expectation of a permanent increase.

MR. CLAY observed, there was nothing in the *physique* of the men to show that they suffered privation. He never saw a better-looking set of men than the Irish constabulary force. He believed, if they wanted double the number, they would find no difficulty in obtaining them.

LORD ROBERT CECIL said, the lowest pay of an Irish policeman was £24 a year, whilst the lowest pay of an English policeman was £45 a year.

Vote *agreed to.*

The following Votes were then *agreed to:*—

(31.) £1,597, Four Courts, Marshalsea Prison, Dublin.

(32.) £13,038, Inspection of Prisons.

(33.) £250,154, Government Prisons.

LORD WILLIAM GRAHAM said, he wished to call attention to the discrepancy between the salaries of officers of prisons, and the average number of prisoners, in various parts of the country, of which he cited instances.

SIR GEORGE LEWIS said, he could only state that those matters of salary had been carefully considered, though he was not prepared to give at a moment's notice the considerations governing each particular case.

LORD ROBERT CECIL said, according to the last report of Colonel Jebb, the average earnings of convicts were put down at £24 a year, and in some of the larger prisons they were as much as £30 and £32 a year; but he saw nothing like those sums stated as the earnings of convicts in connection with this Vote.

COLONEL DUNNE said, he wished to ask the Secretary for Ireland what was the intention of the Government with respect to the recommendations of the Committee appointed last year on the Motion of Mr. Macartney, the late Member for Antrim?

MR. CARDWELL said, that a portion of those recommendations had already been carried out in respect of convicts and misdemeanants.

LORD NAAS said, he rose to express a hope that the House might have an assurance that this subject would be taken into consideration by the Government during the recess. At the present moment there were two systems in operation in the United Kingdom, and convicts sentenced in Ireland to a similar amount of imprisonment were subjected to an essentially different treatment and to an entirely different kind of punishment from those in England. He trusted that the right hon. Gentleman now at the head of the Irish Department, who was conversant with the entire subject, would be led to devote his attention to it, and that they would yet see an identical system of convict rule and convict management established for the two countries. In conclusion, he wished to bear testimony to the success of Captain Crofton's system of treatment of adult convicts, as exemplified in practice during the last four or five years.

Vote *agreed to,* as were also the following Votes:—

(34.) £177,544, Maintenance of Prisons.

(35.) £25,111, Transportation of Convicts, &c.

(36.) £159,399, Convict Establishments, Colonies.

House resumed.

Resolutions to be reported *To-morrow.*

House adjourned at a quarter before One o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES

VOLUME CLIV.

FIRST VOLUME OF SECOND SESSION 1859.

EXPLANATION OF THE ABBREVIATIONS.

1*R*. 2*R*. 3*R*. First, Second, or Third Reading.—*Amend*., Amendment.—*Res*., Resolution.—*Com*. Committee.—*Re-Com*., Re-committal.—*Rep*., Report.—*Adj*., Adjourned.—*cl*., Clause.—*add. cl*., Additional Clause.—*neg*., Negatived.—*l*., Lords.—*c*., Commons.—*m. q*., Main Question.—*o. q*., Original Question.—*o. m*., Original Motion.—*p. q*., Previous Question.—*r. p*., Report Progress.—*A*., Ayes.—*N*., Noes.—*M*., Majority.—1*st Div*., 2*nd Div*., First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorised Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the Speaker's private or official character, as the case may be.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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